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ABSTRACT

This discussion of professional ethics in public school administration in the state of Georgia considers several issues: (1) the historical development of professional ethics in Georgia public school administration; (2) what is meant by professional ethics; (3) the sense in which Georgia public school administrators are members of a profession; (4) the kinds of regulations of professional conduct by which these administrators are bound; and (5) the procedures that should be used by Georgia public school administrators when employing professional ethics in their decision making. After treating these issues, the inquiry examines three illustrative cases involving the professional ethics of the Georgia public school administrator. Appended are (1) "Statement of Ethics for School Administrators" of The American Association of School Administrators; (2) Georgia Professional Practices Commission's "Code of Ethics"; and (3) National Education Association's "Code of Ethics." (SI)

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PROFESSIONAL ETHICS AND THE GEORGIA PUBLIC SCHOOL ADMINISTRATOR

Robert D. Heslep

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PROFESSIONAL ETHICS AND THE GEORGIA PUBLIC SCHOOL ADMINISTRATOR

Robert D. Heslep

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Preface

In this inquiry the reader will find a discussion of professional ethics in public school administration in the State of Georgia. The relationship of professional ethics to Georgia public school administrators is rather muddled. In some respects such administrators are not members of a profession, but in the eyes of the State's law they are. They are not compellingly bound by the ethical code of any professional association, but they are legally obligated by the ethical standards held by the Professional Practices Commission of the State of Georgia. They are not systematically evaluated according to principles or rules of professional ethics, but they occasionally are charged with unethical conduct. Thus, it is not readily evident if and how Georgia public school administrators are to take professional ethics into account in their decision making. This inquiry aims to help clarify the place of professional ethics in decision making by Georgia public school administrators.

The inquiry will discuss various issues relevant to its goal: the historical development of professional ethics in Georgia public school administration, what is meant by a professional ethics, the sense in which Georgia public school administrators are members of a profession, the kinds of regulations of professional conduct by which these administrators are bound, and the procedure or procedures that should be used by Georgia public school administrators when employing a professional ethics in their decision making. After treating these issues, the inquiry will examine some illustrative cases involving the professional ethics of the Georgia public school administrator.

Chapter 1

Background and Problem: Part One

The situation of professional ethics and the Georgia public school administrator is neither unique nor recent in origin. It resembles situations in other states; it bears similarity to the relationship between professional ethics and public school teachers in all other states; and it has likenesses to the situation of ethics in many noneducational professions. The genesis of the uncertain relationship between ethics and the professions in America and in particular Georgia public school administration can be traced far back in history. Accordingly, it is important to look at the background of ethics and the professions before examining the problematic relationship between professional ethics and Georgia public school administrators. This chapter will discuss the development of professional ethics and the professionalization of school administration. The next will examine professional ethics in school administration, especially in Georgia.

Current Interest in Ethics

In the past decade or so there has been a keen and widespread interest in the ethics of persons with positions of public concern. This interest has been reflected by radio and TV daily news reports, newspaper headlines, magazine cover stories, and radio talk shows; but it also has been reflected by conversations during coffee breaks, cocktail parties, car pooling, and other informal

gatherings. The cases discussed have included a variety of practices in a diversity of sectors: influence peddling by former government officials, lies and violations of law by government officials, Wall Street trading based on insider information, plagiarism and extramariatal affairs by campaign candidates, the fabrication of stories by news reporters, the use of narcotics by nominees for the judiciary, suspect sexual and administrative behavior by pastors and members of their families, the marketing of unsafe products by the automotive and health industries, the performance of unnecessary operations by surgeons, the sexual abuse of students by teachers and school administrators, and the encouragement by lawyers of civil law suits.

There is little doubt that the news media, using recent advances in electronic technology, have stimulated the recent interest in the ethics of public persons; but at the same time there is little doubt that people historically have been concerned with such conduct. Thus, the Bible tells about King David's evil behavior toward Bathsheeba's husband, Uriah. Shakespeare has Julius Caesar state, "Caesar's wife must be above suspicion." Many ordinary people of early America had a deep distrust of physicans, lawyers, ministers, and teachers. There were numerous reports of misconduct in government and business during the later nineteenth and early twentieth centuries. And novels, plays, and movies frequently have criticized the ethical behavior of public figures.

Indeed, from time to time and place to place rules have appeared for regulating the actions of public persons. Hippocrates, the renown physician and medical teacher of ancient Greece, wrote a code of conduct for his students that long has been widely respected by Western physicians. The Roman Catholic Church and European governments during the Middle Ages had regulations controlling the interest that money lenders could charge. The government of the United States passed the Pure Food and Drug Act to regulate the quality of food and drugs produced for the public. American business associations established codes of conduct for their members in the early decades of this century.[1] The National Education Association (NEA) adopted a code of conduct for educators in the 1960's.[2] And the federal government has enacted ethics in government laws in recent times.[3]

Despite the historical concern of society's members with the ethics of persons in public positions, there has been no persistent and pervasive agreement on what rules should apply to such per-

sons. Agreement naturally has been substantial in monolithic societies, whose respective laws, religious beliefs, ethical beliefs of individuals, and other regulations are usually consistent with one another. Examples of such societies are primitive tribal groups, Puritan New England, France before its revolution of 1789, and contemporary Iran. Yet, even societies with great uniformities in ethics have suffered periods of disturbance; from time to time they have encountered new experiences and technologies that have challenged their established ethical rules. Primitive tribesmen often were perplexed when Western medicine offered an attractive alternative to their traditional medical practices. The Puritans of New England faced challenges to their ethical beliefs from the former's growing material prosperity and security and from the English crown's enforcement of civil liberties, including religious tolerance. After World War II, Iranians underwent some modifications in their ethical views because of the introduction of Western lifestyles, technologies, and economic practices; and they managed to rid themselves of their new beliefs and reestablish their orthodox ones only with a bloody revolution that instituted a government dominated by a religious sect.

Yet, if diversity in ethical rules has been an occasional phenomenon in monolithic societies, it has been a constant feature of pluralistic ones. A pluralistic society's laws need not have complete uniformity; and its respective religious canons, personal ethical beliefs, and other regulations of conduct may be and typically are variegated and more or less opposed to one another. Beginning in the nineteenth century, if not earlier, there has been a trend among Western nations to become pluralistic. Thus, the United States, Canada, England, France, Switzerland, Belgium, and most other Western countries are pluralistic today. Some of these nations have a governmental system that involves local government and consequently laws that differ from one locality to another. While some have official churches, they tolerate other sorts. In some one racial group may be dominant in number, but racial discrimination is officially forbidden. And in all of these countries individual freedom is legally protected and commonly valued. Not all nations committed in principle to pluralism are equally pluralistic in actuality. Sweden, for instance, has less racial and religious diversity than the United States, which perhaps is as pluralistic in actuallity as any other nation is. In any event, the larger the pluralism actually is in a society the more

likely there will be disagreement among the society's members over the standards by which the conduct of public persons is to be judged. Accordingly, pluralistic societies need not be equally uncertain about such standards. Moreover, the members of a pluralistic society need not always disagree over all the rules that apply to each and every person of public importance. No society can function without some regulations accepted by the vast majority of its members. The Declaration of Independence and the Bill of Rights involve standards and rights that are generally respected in the United States.

Many persons of public interest are members of vocations, and the members of vocations sometimes organize themselves into formal associations. One kind of formal vocational association is the profession, which had its origin in the guild of the Middle Ages if not in earlier institutions.[4] By the second decade of this century medicine and law were the prototypes of professions for the United States; and the members of other vocational sectors, for instance, architects, accountants, clinical therapists, engineers, druggists, social workers, and educators, were attempting to organize themselves into professions. While all the professions have been concerned especially with education, certification, standards of performance, and benefits for their members, some have set the pace among all vocational groups in trying to institute ethical practices among their respective members. They have adopted codes of conduct, established committees for reviewing the ethical conduct of members, and proposed courses in professional ethics as a part of the training of their respective members.[5]

There are at least two reasons as to why professions in the United States have been active in establishing ethical practices for themselves. The first is self-interest. The earlier professions, which were law, medicine, and the ministry, had a history of questionable practices to overcome. While most of these professions' members were honest, fair, and competent, some pretended competence when there was none, overcharged and cheated their clients, and engaged in nonprofessional conduct that opposed common morality. Hence, it was not extraordinary in America for lawyers and physicians to be called charlatans and ministers to be called hyprocrites. By instituting ethical standards, the older American professions hoped to build for themselves an ethical reputation acceptable to the public. And by building such a reputation, they hoped to improve their overall status in

America and to prevent governmental or other outside forces from overseeing their members' behavior.

Another reason why some professions have been interested in fixing ethical practices for their respective members is that the latter have encountered urgent and persistent ethical issues whose resolutions are far from obvious. For instance, professionals have constantly faced the pressing questions of what input they should accept from their clients, whether or not they ever should lie to their clients, and whether or not they ever ought to criticize a colleague. The client input issue arises because professionals supposedly are experts on the problems of their clients but they also are in the service of their clients, which supposedly makes them subject to the demands of their clients. The question of lying appears because a professional might know occasions when lying to clients might be helpful to them whereas the clients, having enlisted the service of the professional, presumably have a right to truthfulness from the latter. The issue of criticizing colleagues arises because the members of a profession, being equal in all respects as members, do not have given lines of authority whereby one may reprimand another but, being fallible, are liable to make mistakes, which suggests that those who do might be open to criticism from their colleagues who spot the mistakes.

The professional groups that have followed the pace setters in establishing ethical practices among their respective members often have not instituted such practices fully. Typically they have adopted regulations of conduct but have neither set up procedures for enforcing them nor included the study of ethics in the training of their members. Moreover, even the groups that have instituted ethical practices fully have not established them well. Their statements of ethics sometimes have been so general and vague as to provide little guidance in judging the ethical quality of particular actions. The review panels of some groups have rarely met. And the ethics programs in the education of some groups' members have been superficial and skimpy. So, when the public has questioned the behavior of a professon's members and noted that the profession is not prepared to regulate their behavior, the public occasionally has sought relief from governmental intervention. Even more so, of course, has the public called for governmental regulation when it has perceived misconduct among the members of professions that have made no effort to institute ethical practices.

Professionalization of School Administration

At both the national and the state levels school administration did not start to professionalize in a sustained and comprehensive way until after World War II. Law and medicine established themselves as full fledged professions in the early years of the twentieth century. Yet, before America's state public school systems began (in Massachusetts in 1837), few persons functioned as school superintendents; and those that functioned as principals were called *head masters* or *head teachers*. Also, before World War I superintendents and principals were not even called *school administrators*.[6]

At the beginning of this century serious efforts were underway to improve school administration. One attempt, which became known as the efficiency movement, was the application of so-called scientific principles to management.[7] Another was the offering of graduate degree programs for students seeking to upgrade themselves as principals or superintendents.[8] There was no prolonged and steady effort, however, to transform school administration into a profession. Despite the increasing availability of graduate programs relevant to the field, one did not have to pursue a graduate program of studies in school administration to become a school administrator. A person typically learned to be a school administrator through on-the-job training, and in some states persons became superintendents through election and without special qualifications. Certification for school administrators was not required until after 1920.[9] Moreover, school administrators sometimes shared membership in vocational associations with teachers. While superintendents and principals belonged to special organizations for administrators, they shared membership with teachers in the NEA. So, before World War II school administration had the social status of a white collar vocation but not of a profession.

For about thirty years after World War II definite advances were made in professionalizing school administration.[10] The states, including the Southeastern ones, without doctoral programs started them. The American Association of School Administrators (AASA) became more aggressive. It attempted to strengthen graduate programs by establishing the national Conference of Professors of Educational Administration. It founded its Committee for the Advancement of School Administration. It adopted a code of ethics in 1966, which was revised in 1973. And it sponsored journals that published research on school ad-

ministration. The AASA, however, was not the only contributor to professionalization. The W.K. Kellog Foundation sponsored the Cooperative Program in Educational Administration. Many professors in the graduate programs became interested in developing exemplary graduate programs, particularly in urban school administration.

Despite its advances as a profession, however, school administration has not attained the level of law and medicine. A notable number of its graduate programs, lacking adequate funding and enrollments, have been of dubious quality.[11] Suffering from a decline in financial support, research and development in the field have not been as successful as they once had promised to be. Some practitioners have resisted the requirement of graduate degree study and have advocated as an alternative non-university training programs in school administration. Little has been done to enforce ethical standards among public school administrators and to teach them in graduate programs. And it is well known that school administration does not enjoy the wealth, power, and prestige of law and medicine. Rather than always being described these days as a profession, therefore, the field sometimes is referred to as a semi-profession.[12]

The professionalization of public school administration in Georgia has parallelled that for the nation as a whole. Before 1911 the supervisors of county schools in Georgia, which were located in rural areas, were called *commissioners* while the heads of schools, now called *principals*, and the supervisors of independent district schools, which were located in urban areas, were called *superintendents*. In 1911 the county school commissioners were renamed as superintendents; but it was not until the 1940's, when the State Department of Education issued the Professional Principals Certificate, that the heads of schools were generally called *principals* rather than *superintendents*.

The independent school district superintendents were appointed by school boards or by grand juries whereas the county school superintendents were elected by county constituencies. Whether for the one kind of superintendent or the other, however, the State's requirements were not demanding. Neither college degree nor high school diploma was required by the State for one to be a superintendent. The minimum requirements to stand for election to a superintendency were legal age, good moral charcter, residency in the given county, and passing an examination by the State Board of Education.[13] These were the

requirements despite the fact that masters level work in school administration came into existence during the period. This is not to say that all of Georgia's public school superintendents at the time were this poorly qualified. According to one study almost half of the county school superintendents had four years of college and about one-fourth of them had five years; and whereas only about one-eighth of the independent school superintendents had only four years of college, two-thirds of them had five years. Even so, the lax State requirements help explain the fact that six percent of the county school superintendents had never been to college.[14]

It was not until the 1950's that steps were taken to upgrade the professional qualifications of Georgia public school administrators. Toward the end of that decade the Southern Association of Colleges and Schools adopted a standard requiring all future administrators of member schools and school systems to hold an advanced degree in administrative and supervisory functions. Early in the 1960's the Georgia Accrediting Commission adopted a similar standard, and the Georgia legislature passed a law requiring county school superintendents to have (a) a master's degree *or* a bachelor's degree and enrollment in a master's program and (b) not less than three years of public school teaching experience.[15] At the same time that these actions were undertaken, the Georgia Association of School Superintendents adopted a resolution that called for the upgrading of public school administrators in Georgia; and an inservice program for administrators, called *Operation Bootstrap*, was put in place.[16] Also, universities and colleges in the State cooperated with professional groups in offering graduate programs. The University of Georgia, for instance, with guidance from the Southern States Cooperative Program in Educational Administration, encouraged especially school administration studies in its Ed.D. program in the 1950's. By the 1970's Georgia required all public school administrators to hold a master's degree in school administration; and by the 1980's it declared that all fifth-year certificates in administration were nonrenewable, which meant that all public school administrators would have to have two years of advanced study.

Besides the upgrading of training and certification standards, the professionalization of public school administration in Georgia involved the establishment of professional societies. The Georgia Teachers Association (GTA), founded in 1867 to

promote better education in Georgia, is the predecessor of the present-day public school administration societies in Georgia. Most of the GTA membership was teachers; the rest consisted of some interested college faculty members, many independent public school district administrators, and a few county public school administrators, most of whom belonged to the Georgia School Commissioners' Association. In 1900 the GTA was rechristened the Georgia Educational Association, and in 1922 the latter was renamed the Georgia Education Association (GEA).

The first effort, in 1916, to organize Georgia's public school superintendents was a failure; but the second, in the 1920's, was successful.[17] The GEA was divided into departments matching its members' school jobs. There were, for instance, one for teachers and still another for superintendents. During the 1920's the independent public school district superintendents who belonged to the GEA's Department of Superintendents established the Georgia Association of Superintendents. This association remained a part of the GEA and invited the county public school superintendents to join. The latter, however, generally declined; and by 1950 they founded the Georgia County School Superintendents Association. In the early 1960's the independent public school district and the county public school district superintendents merged their organizations into the Georgia Association of School Superintendents.[18] The principals in the GEA followed the superintendents' example and created their own GEA units, which were organized according to the types of schools, e.g., secondary or elementary, the principals headed.[19]

In 1970, partly because of a growing militancy among teachers in the nation, the GEA merged with Georgia Teachers and Educators to form an organization for teachers only, called the Georgia Association of Educators. The school administrators who had belonged to the GEA established an organization for school administrators alone, termed the Georgia Association of Educational Leaders (GAEL). Because the different sorts of school administrators in GAEL claimed to have special types of problems, they transferred to GAEL the different suborganizations they had had in the GEA: the Georgia Association of School Superintendents, the Georgia Association of Secondary School Principals, and the Georgia Association of Elementary School Principals. That the membership of the State professional organizations of Georgia's public school administrators now con-

sists exclusively of such administrators means that the organizations are closer than they have been to being true professional organizations for such administrators.

There are, so far, two failings by GAEL and its affiliated associations as professional organizations. The first is that none of the associations has sponsored a publication devoted to the study and discussion of the problems of Georgia public school administration. Such a publication is needed as a major medium for keeping the profession's members informed of their special problems.

The second failing is that neither GAEL nor any of its suborganizations has ever adopted a statement of ethics. The statement of ethics instituted by the GTA in 1896 applied to teachers only.[20] The revised one adopted by the organization in 1926 contained only one clause that pertained to administrators.[21] And the NEA code approved by the GEA in 1964 applied to teachers alone.[22] Since the dissolution of the GEA, GAEL and its affiliates have adopted no regulations of ethical conduct. Moreover, the statement of ethics of the American Association of School Administrators, to which Georgia's public school administrators belong, has never been adopted by GAEL or any of its affiliates. Finally, the only statement of ethics that is binding upon Georgia's public school administrators is that of the Georgia Professional Practices Commission, which was founded by law in 1967.[23] This code, however, is not specifically for public school administrators; for it applies to all public school employees, including teachers, required to be certified by the Georgia Board of Education. Moreover, far from indicating professional progress among the State's public school educators, administrators or teachers, the code was evidence of a professional deficiency among them. Suspect behavior among public school administrators and teachers had attracted the attention of the public; but neither the administrators nor the teachers were effectively regulating, through professional associations, their conduct. The result, then, is that the only ethical code binding upon Georgia's public school administrators is a legal rather than a professional code, which is to say, a code imposed by law rather than by a profession. At any rate, the Professional Practices Commission has not been idle in enforcing its code of ethics. From the school year 1972-73 to that of 1982-83 the Commission investigated, in addition to 828 other types of cases, 206 cases bearing on ethical conduct. It is estimated that 40% of them involved conduct by administrators.[24]

In recent years there have been some attempts to change Georgia public school administration in ways that run counter to the professionalization of the field this century. One effort has been to replace the education of public school administrators at universities and colleges with training at so-called leadership academies.[25] Another attempt has been to eliminate the certification requirement of teaching experience. How successful these efforts will be and how seriously they will affect the professionalization of public school administration in the State remains to be seen, however.

NOTES

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3. PL94-521, PL96-19, PL96-28, PL97-409, PL98-150, PL99-190, and PL99-336.

4. John S. Brubacher, "The Evolution of Professional Education," in Nelson B. Henry (Ed.), *Education for the Professions,* Part II of the Sixty-first Yearbook of the National Society for the Study of Education (Chicago: The University of Chicago Press, 1962), pp. 47-67. Bruce A. Kimball, "The Problem of Teachers' Authority in Light of the Structural Analysis of Professions," *Educational Theory*, 38 (Winter, 1988): 1-10.

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Yearbook (Washington, D.C.: The Department of Superintendence of the National Education Association of the United States, 1923), pp.25-36.

9. The Department of Superintendence, the National Education Association of the United States, *Educational Leadership: Progress and Possibilities, Eleventh Yearbook* (Washington, D.C.: The Department of Superintendence of the National Education Association of the United States, 1933), pp. 278-83.

10. Kimbrough, "Leadership Through the Further Professional Development of Educational Administration," pp. 2-3.

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12. Amitai Etzioni (Ed.), *The Semi-Professions and Their Organizations* (New York: The Free Press, 1969).

13. Joseph A. Williams, *A Comparison of the Educational Qualifications of Superintendents of County and Independent School Systems in the State of Georgia* (Athens, GA.: University of Georgia unpublished master's thesis, 1939), pp. 10-11.

14. *Ibid.*, p. 38.

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16. Herbert W. Robinson, "A Brief Historical Sketch of the Georgia Association of School Superintendents," unpublished manuscript dated 1966 and catalogued at the main library of the University of Georgia.

17. *Ibid.*, pp. 1-3. A.C. Dickey, "Georgia Association School Superintendents: A Brief History," *Georgia Education Journal*, 70 (September, 1966): 16-17.

18. Robinson, "Brief Historical Sketch," pp. 4-6. Dickey, "Georgia Association School Superintendents," 16-17.

19. Mrs. Beulah Bullard, "GEA Department of Elementary School Principals: Brief History," *Georgia Education Journal*, 70 (December, 1966): 16-17. Erskine Mills, "Georgia Association of Secondary School Principals: Brief History," *Georgia Education Journal*, 70 (February, 1967): 12-13.

20. Committee on Professional Ethics, Georgia Teachers Association, "Report of Committee on Professional Ethics," *Proceedings and Addresses of the Thirtieth Annual Meeting of the Georgia Teachers Association* (1896), pp. 13-14.

21. "Code of Ethics," *Georgia Education Journal*, 21 (November, 1928): 27.

22. Teacher Education and Professional Standards Committee, "Report," *Georgia Education Journal*, 57 (May, 1964): 14.

23. State of Georgia Professional Practices Commission, *In Celebration of Ten Years of Service to the Education Profession* (Atlanta, GA.: State of Georgia Professional Practices Commission, 1983).

24. The estimate is based upon an inference from data provided by the State of Georgia Professional Practices Commission. See *ibid.*

25. The Quality Basic Education Act of Georgia established in 1985 a division in the Georgia Department of Education known as the Georgia Educational Leadership Academy.

Chapter 2

Background and Problem: Part Two

There are a noticeable similarity and a noticeable difference between the development of professional ethics for public school administrators in the nation as a whole and its development for such administrators in Georgia. The similarity is that very little was done about the professional ethics of public school administration until the 1960's, and the difference is that in Georgia the statement of ethics binding upon public school administrators is not clearly a professional one while at the national level and in some other states ethical regulations restraining public school administrators are obviously professional ones.

Development of Professional Ethics for Public School Administration in America

The professional association of American public school administrators has had a long and rich history.[1] In 1865-66 some state and city public school superintendents who were members of the National Teachers Association established the National Association of School Superintendents. In 1870 the National Teachers Association was reconstituted as the National Educational Association, and at the same time the National Association of School Superintendents was reorganized as the Department of School Superintendence of the National Educational Association. The Department of School Superintendence was renamed the Department of Superintendence in 1893, and the National

Educational Association was rechristened the National Education Association in 1907. The Department of Suprintendence was reconstituted in 1938 as the American Association of School Administrators, which remained affiliated with the NEA until the middle 1970's.[2] Over the years superintendents have dominated the membership of the AASA and its predecessors, but principals and other school functionaries have been members too. The AASA is the major professional organization of school administrators at the national level today.

Despite their long and rich professional association, however, American public school administrators showed very little interest in professional ethics until recent decades. From 1857 until 1930 the NEA and its predecessors passed only three resolutions on professional ethics.[3] Not only did these compare poorly in number with the 30 resolutions about itself that the organization passed during the period and another 30 it passed at the time on civics, government, and patriotism; but none of the resolutions applied specifically to school administrators. From 1866 through 1931 neither the Department of Superintendence nor any of its predecessors passed any resolutions on professional ethics, which strikingly contrasts with the 10 it passed on the NEA, the 15 it passed on civics, government, and patriotism, and the two it passed on radio education.[4]

To be sure, public school administrators were cognizant of the relevance of ethics to their jobs. They were told that a code of ethics is essential to a *true profession*.[5] A sound moral character was often mentioned as a major qualification for public school administrators.[6] Indeed, a survey of school board members indicated that *excellent moral charcter* was the fourth most frequently listed factor explaining the success of public school superintendents.[7] Nevertheless, higher education institutions offering courses dealing specifically with public school administration provided few courses in professional ethics for students of the area. One study reported that professional ethics was not listed as one of the 30 courses offered by "selected institutions" in "various phases and fields of educational administration in 1900, 1910, 1920, and 1930."[8] Another reported that of 56 schools or colleges whose catalogues listed courses specific to training superintendents, fewer than 10 had catalogues listing professional ethics as one of the courses.[9] Moreover, people suggesting curricular guidelines for programs in school administration did not emphasize professional ethics even when they recommended it

as an area of study. Thus, a survey of superintendents and professors of education showed that *Professional Relations-Ethics* was ranked by them as fifteenth in importance in a list of 18 topics in a training program for prospective city superintendents.[10]

Shortly before, during, and following World War II democratic values were seen as important for public school administration. Thus, one commentator reported, "The concept of democracy in educational administration is now generally accepted."[11] Another maintained that the unwillingness to democratize procedures was a reason for failure in school admnistration.[12] Regardless of its positive commitment to democracy, however, public school administration at the time did not adopt any principles of conduct incorporating the ideology nor did it insist upon instruction in democratic ethics in its training programs. Indeed, public school administration said very little during the 1940's and 1950's about professional ethics. It was not until 1960 that the AASA even allowed that there was a need for a statement of ethics for the profession. It pointed out that there was no national position; and while it recognized that some state professional associations of school administrators had adopted codes of ethics, it stressed that the associations had not given the codes enforcement provisions. Hence, it declared that "a true profession will formalize, codify, and create enforcement mechanisms."[13]

A year later the AASA undertook the formulation of a statement of ethics for its members. The code, which was prepared by the society's Committee for the Advancement of School Administration, was adopted in 1962. It consisted of ten rules, ranging from upholding the honor and dignity of the profession to keeping the public fully and honestly informed about their schools.[14] Being aware that its code did not contain any enforcement provisions, the AASA soon had its Committee for the Advancement of School Administration prepare a body of procedures suggesting how the AASA and its affiliated state associations could implement the code. In 1964 the AASA instituted its Ethics Committee. This committee gave priority to the educational task of promoting a "better understanding among all members of AASA and state associations of what constitutes ethical behavior."[15] It emphasized positive action rather than punitive measures. The committee then revised the enforcement procedures to reflect this emphasis. In the middle 1970's the Ethics Committee made yet another revision of the AASA's code. Known as *AASA Statement of Ethics for School Administrators*

and Procedural Guidelines (see Appendix A), the latter version has been "embraced by partners to the National Commission on Administrator Relationships," which covers not only the AASA but the American School Board Organization, the National Association of Elementary School Principals, the National Association of Secondary School Principals, and the American Association of School Personnel Administrators.[16]

Despite the efforts of the AASA in the 1960's and 1970's, one should not conclude that a fervent support of professional ethics by school administrators has spread throughout the United States. According to a report in the late 1960's, only 32 states had active ethics committees; only five states were acting upon ethics cases; and only two states had officially adopted the AASA code.[17] According to a survey, taken at about the same time, of public school administrators' responses to questions asking for their decisions on hypothetical cases, the administrators more often than not responded in ways inconsistent with the AASA code.[18] Apparently, then, the existence of a professional code of ethics, even one with enforcement provisions, was not sufficient to imbue public school administrators with the code's principles. Moreover, the AASA's efforts to promote ethical conduct have not been followed by higher educational institutions' significantly expanding their course offerings in professional ethics for public school administrators. Finally, the AASA's interest in professional ethics appears to have abated since the publication of its *Statement of Ethics*.[19]

Development of Professional Ethics for Public School Administration in Georgia

Until the 1960's the GEA and its predecessors rarely expressed a concern with professional ethics. When it did, it typically was interested in the professional ethics of teachers rather than administrators.

As already explained in Chapter 1, the GEA's 1986 statement of ethics pertained to teachers exclusively. The GEA used this code until 1926 when it approved a new one.[20] The new code applied to teachers by and large, but it did contain a clause relevant to public school administrators: "the superintendent," who in the parlance of the time was either a head of a school or the head of a school district, "should give his teachers an opportunity to collaborate in the solution of the [sic] professional problems."[21]

There is no record, however, that this clause was enforced by the GEA or taken seriously by the State's school administrators. While "sound moral character" was generally recognized in Georgia as important for the State's public school administrators, it was not always acknowledged by commentators on such administrators as important for them. Thus, one report on the qualifications of the "professional county superintendent" did not even mention moral character.[22] At an annual meeting of the Georgia Association of Superintendents there was a panel on professional ethics; but as suggested by its title, *Are Our Teachers Practicing Good Ethics?*, the panel did not deal with the ethics of school administrators. Even as late as 1961 the GEA did not see the professional ethics of school administrators as a special concern. In a proposed revision of its constitution that year, the organization recommended the establishment of a standing committee on teacher education and professional standards; but it recommended no counterpart for administrators.[23]

From 1962 through 1964 the GEA discussed and eventually approved the NEA's latest code of ethics.[24] This body of rules, as indicated by its title, *Code of Ethics of the Education Profession*, applied to administrators as well as teachers. For instance, the first rule concerning the educator's commitment to the student, which said that educators shall deal "justly and considerately with each student," pertained to both administrators and teachers.[25] So, in approving the NEA ethics code, the GEA finally accepted a code that was binding upon its members who were administrators as well as those who were teachers. It was one thing, however, for the GEA to have a code of ethics; it was quite another to enforce the code. One view favored the formation of an ethics committee for guiding the code's implementation,[26] but the prevailing view supported the creation of what became the GEA's Professional Rights and Responsibilities Commission.[27] The Commission, however, which began organizational operations in 1965, did not assume the task of directly implementing the GEA's Code of Ethics. The GEA maintained that direct implementation must be at the local level[28]; accordingly, the Professional Rights and Responsibilities Commission confined itself to encouraging and advising local GEA affiliates on direct implementation.[29] Because the GEA's Code of Ethics was never enacted into statutory law, it was never legally binding upon the association's members. Regardless, the GEA's Professional Rights and Responsibilities Commission seriously concerned it-

self with implementing the code. In 1968 the Commission held preliminary hearings and undertook subsequent action on fifteen cases,[30] and in 1970 it reported that a legal defense fund had been established to help teachers defray expenses in litigation regarding their rights and responsibilities.[31]

Yet, even while the GEA was taking steps to adopt and implement a code of ethics relevant to both teachers and administrators, it, following the lead of the NEA and several states other than Georgia, began pushing for the enactment of legislation "to provide a realistic *Professional Practices Act.*"[32] In 1966 the GEA publicized to its members the NEA booklet, *Professional Practices Regulations: A Plan for Action*, which advocated the statutory creation in each state of a "professional practices commission."[33] The law establishing the commission should recognize teaching as a profession, provide that the code governing the conduct of educators be developed by the profession itself, provide that the commission be financed by educators rather than the state, and provide that membership on the commission represent all segments of the profession. The GEA saw such a commission in Georgia as a vehicle whereby the State's public school educators could maintain their professional autonomy while being accountable and responsible for the competence and "ethical behavior of the individuals in practice."[34] A year later the GEA, which had placed a professional practices act third on its list of legislative priorities,[35] announced that such an act had been passed.

Known as the *Professional Teaching Practices Act*, the law recognizes teaching, or any professional service performed or rendered by a person holding a certificate issued by the State Board of Education, as a profession in Georgia and provides for the creation of a Professional Practices Commission whose seventeen members are to represent all sectors of persons certificated by the Georgia Board of Education. The law also charges the Commission with the responsibility and authority to set and enforce standards of competent professional performance and ethical conduct for all such persons. Consistent with the NEA's recommendations, the legislature initially did not authorize funding for the Commission. From its first meeting in 1968 until 1973 the Commission's members, who met quarterly each year and had no staff, received reimbursement for expenses from donations by several state-level professional associations. While this arrangement made the Commission independent of the Georgia

legislature's power of the purse, it also rendered the Commission more or less dormant. It was not until 1973, when the legislature began funding the Commission, that the latter was able to acquire an executive-director and additional staff and to perform its function in earnest. Since then the executive director, with the support of the State Superintendent of Schools, has publicized the services and availability of the Commission. The result is that the Commission's workload has been appreciable. By 1983 the Commission had processed cases totaling about one percent of Georgia's approximately 70,000 public school teachers and five percent of the State's approximately 5500 public school administrators. During the 1974-83 period the ethics cases processed by the Commission substantially outnumbered those involving charges of professional incompetence.[36] Because of the creation of the Professional Practices Commission and the dissolution of the GEA, the GEA's Professional Rights and Responsibilities Commission ceased in the early 1970's to function as a force in implementing the GEA's Code of Ethics.

The Georgia Professional Teaching Practices Act requires that the code of professional ethics adopted by the Professional Practices Commission represent standards of conduct that are generally accepted by certificated persons.[37] While the record does not show exactly how the Commission determined that its adopted ethical standards (see Appendix B) were representative of those generally accepted by Georgia's certificated administrators and teachers, it does clearly indicate that the Commission was strongly influenced by the NEA's *Code of Ethics* (see Appendix C). Each code is divided into a preamble and four sections. The preambles have a noticeable similarity in wording, and the title of each section in the Georgia code is virtually the same as that in the NEA's. What is more important is that the rules of the Georgia code bear a striking similarity to those of the NEA's. The second section of the former code contains only one rule with a counterpart in the second section of the latter, but the story is quite different for the rules in the other sections. Of the eight rules constituting the first section of the Georgia code, five bear similarities to rules in the first section of the NEA code. Three of the seven rules making up the third section of the former code have counterparts in the third section of the latter, and four of the ten rules constituting the fourth section of the former have sources in those making up the fourth section of the latter. Even though the Georgia code applies to both administrators and

faculty members, it does not classify its rules according to which apply to what type of educator. As a matter of fact, almost every rule of the code pertains to both administrators and faculty members. The only obvious exception is the last rule of the first section, which, being about the tutoring of students, relates to faculty members rather than administrators.

In enforcing the Georgia *Code of Ethics*, the Professional Practices Commission does not search for violations. It acts, rather, only after receipt of information from an appropriate party, ranging from the State Board of Education to any individual resident of the State, who has cause to believe that a holder of a Georgia certificate has committed a breach of professional ethics.[38] Upon receipt of the information the Commission conducts an investigation to determine whether or not probable cause exists for believing that the educator has violated the Code. If the Commission finds probable cause, it notifies the State Superintendent; and if the Superintendent approves the finding, the Commission, which has the power of subpoena, proceeds with a formal investigation. The investigation closely follows due process. It involves notification of the defendant, accords the defendant the right to a hearing, submits to the defendant a written copy of the Commission's report, and grants the defendant the right to file exceptions to the report. The report and any filed exceptions are then turned over to the State Department of Education for consideration and final action, which may include revocation of the defendant's certificate.

Georgia's Professional Practices Commission

It might seem that Georgia's public school administrators are definitely bound by a code of professional ethics. The Professional Teaching Practices Act declares that teaching, or any professional services provided by persons certificated by the State Department of Education, is a profession. And Georgia's Professional Practices Commission, which was established by the Act, has adopted and implemented a code of ethics addressed to all certificated persons, including public school administrators. Yet, reflection suggests that there are puzzlements involved in claiming that the State's public school administrators are certainly subject to a code of professional ethics.

For one thing, it is not evident that the Professional Practices Commission's *Code of Ethics* is a code of professional ethics except in a relatively trivial sense. Even though the Professional

Teaching Practices Act declares that teaching, as defined by the law, is a profession, it does not thereby make teaching, even as intended by the law, a profession except in the relatively unimportant sense that the law says it is a profession. Whether or not an occupation is truly a profession is not settled by legal fiat; it is resolved, rather, by an appeal to the characteristics the occupation has as a profession. When, therefore, the Professional Teaching Practices Act refers to teaching as a profession, it does not thereby add to the occupation any charcteristics that it might lack as a profession. This inquiry has not said much about the professional status of other occupations falling within the Act's conception of teaching, but it has maintained that public school administration in Georgia lacks some important characteristics as a profession. Hence, it casts doubt upon the Act's claim that teaching is a profession. In doing this, it also undercuts the contention that the Commission's code should be construed as a code of professional ethics on the ground that it applies to an occupational group recognized by Georgia law as a profession. Whether or not the code's rules truly are rules of professional ethics depends upon whether or not they possess the characteristics that distinguish rules of professional ethics. That they are mandated by a statute distinguishes them as rules with legal force but not necessarily as rules of professional ethics. The defining characteristics of the latter rules will be discussed at length in the next chapter.

For another thing, the Commission's code is not a code of ethics relevant to public school administration as a profession by itself. In stating that teaching, including public school administration, is a profession, the Professional Teaching Practices Act does not clearly indicate whether or not it regards public school administration as a distinct profession. The law certainly allows that such administration is a part of a profession of teaching, but it leaves open the question of whether or not such administration is a special profession. Accordingly, the Commission's *Code of Ethics* does not necessarily apply to public school administration as a distinct profession. Moreover, the rules of the Commission's Code are too general to be regaded as a code of ethics for public school administration as a profession. As already explained, the rules apply not specifically to the ethical aspects of public school administration but to those of teaching in general. The ethical code of a profession, however, is supposed to address the ethical issues, and only the ethical issues, pertinent to that profession.

Finally, there is reason to think that the Commission's code does not reflect the ethical standards of Georgia public school administrators. While a code of professional ethics does not have to be put into law, it may be. And while a statutory code of ethical rules might be a code of professional ethics, it need not be. A code of professional ethics is original and acceptable to the profession to which it applies; it is neither external to nor imposed upon the profession. Any rule imposed upon a profession is either without legitimacy for that profession or it is just a law for its members to obey. Thus, if a statutory code of ethics is to be a code of professional ethics, it must reflect the ethical standards of the profession to which it applies. This much is recognized by the Professional Teaching Practices Act in its requirement that the Commission's code reflect the professional ethical standards generally accepted by Georgia's educators. From all indications the Commission made an earnest effort to fulfill this mandate; for, as mentioned earlier, it looked to the NEA's Code of Ethics, which had been approved by the GEA, as a source of pertinent standards. Nevertheless, it might have been unfortunate in looking to the NEA's Code as a source. Because the Commission formulated its Code about the time the GEA dissolved, it lost some ground for thinking that the NEA's Code did reflect the ethical standards accepted by Georgia's educators in general. Indeed, a comparison of the standards of professional ethics held by the American Association of School Administrators, of which Georgia's public school administrators are members, with the Commission's Code suggests that the Commission did not regard the former as a source. Thus, it is not evident that the code adopted and implemented by the Commission represents the ethical standards generally accepted by Georgia's public school administrators as members of a profession.

In sum, Georgia's public school administrators are in a complex quandary as to professional ethics. Public school administration in the State lacks certain characteristics as a fullblown profession, but it is recognized by law as part of the profession of teaching. It has not adopted a view of ethics relevant to itself as a distinct profession, but it is subject to a statutorily imposed code relevant to it as a part of an occupational group declared by law to be a profession. What, then, are Georgia's public school administrators to do? Are they to dismiss the notion that there are ethical regulations binding upon them as members of a distinct profession when they make decisions?

Notes

1. The Department of Superintendence, the National Education Association, *Educational Leadership: Progress and Possibilities,* Eleventh Yearbook (Washington, D.C.: The Department of Superintendence of the National Education Association of the United States, 1933), pp. 46, 52. For a historical overview of the public school superintendence, see the American Association of School Administrators, the National Education Association, *The American School Superintendency,* Thirtieth Yearbook, (Washington, D.C.: The American Association of School Administrators of the National Education Association of the United States, 1952), pp. 39-64.

2. The AASA first published a yearbook in 1939, which was the seventeenth one in the series begun in 1923 by the Department of Superintendence.

3. Department of Superintendence, *Educational Leadership*, p. 48.

4. *Ibid.*, p. 52.

5. The Department of Superintendence, the National Education Associaiton, *The Status of the Superintendent*, First Yearbook (Washington, D.C.: The Department of Superintendence of the National Education Association of the United States, 1923), pp. 38-39.

6. *Ibid.*, p. 7. Department of Superintendence, *Educational Leadership*, p. 289. The American Association of School Administrators, the National Education Association, *Schools in Small Communities*, Seventeenth Yearbook (Washington, D.C.: The American Association of School Administrators of the National Education Association of the United States, 1939), p. 263.

7. Department of Superintendence, *Educational Leadership*, p. 291.

8. *Ibid.*, p. 270.

9. *Ibid.*, p. 294.

10. *Ibid.*, 293.

11. Nelson B. Henry (Ed.), *Changing Conceptions in Educational Administration*, Forth-fifth Yearbook of the National Society for the Study of Education (Chicago: The University of Chicago Press, 1946), p. 5.

12. *Ibid.*, p. 180.

13. The American Association of School Administrators, the National Education Association, *Professional Administrators for America's Schools*, Thirty-eighth Yearbook (Washington, D.C.: The American Association of the School Superintendents of the National Association of the United States, 1960), p. 260.

14. The Ethics Committee of the American Association of School Administrators, the National Education Association, *The AASA Code of Ethics* (Washington, D.C.: The American Association of School Superintendents, 1966), pp. 15-34.

15. *Ibid.*, pp. 10-11.

16. The Ethics Committee of the American Association of School Administrators, *AASA Statement of Ethics for School Administrators and Procedural Guidelines* (Arlington, Va.: The American Association of School Administrators, n.d.), p. 3.

17. Roy Dexheimer, "The Ethics of Chief School Administrators: A Study of Accommodation," in Peter Andre Sola (Ed.), *Ethics, Education and Administrative Decisions* (New York: Peter Lang Publishing, Inc., 1984), p. 274.

18. *Ibid.*

19. The issues of the AASA *Annual Report* since 1977 make no mention of professional ethics as a topic of special concern except in their printing of the organization's mission statement and in their listing of its committees.

20. Georgia Education Association, "Code of Ethics," *Georgia Education Journal*, vol. 21, no. 3 (November, 1928): 27.

21. *Ibid.*, section III, clause 2 of the Code.

22. "The Professional County Superintendent," *Georgia Education Journal*, vol. 21, no. 9 (May, 1929): 23.

23. Georgia Education Association, "Proposed Revision of the GEA Constitution," *Georgia Education Journal*, vol. 54, no. 7 (March, 1961): 46-54.

24. Teacher Education and Professional Standards Committee, Georgia Education Association, "Report," *Georgia Education Journal*, vol. 55, no. 8 (April, 1962): 17. National Education Association, "Basic Code of Ethics," *Georgia Education Journal*, vol. 56, no. 1 (September, 1962): 26-27. Mrs. Hazel A. Lewis, "New Frontiers in Ethics," *Georgia Education Journal*, vol 56, no. 6 (February, 1963): 4. Frank M. Hughes, "Editorially Speaking...Teachers' Rights and Responsibilities," *Georgia Journal of Education*, vol. 56, no. 7 (March, 1963): 15. The voting on the NEA Code of Ethics by the GEA Delegate Assembly is reported in *Georgia Education Journal*, vol. 57, no. 1 (September, 1963): 9; no. 8 (April, 1964): 17, 20+; no. 9 (May, 1964): 14.

25. Committee on Professional Ethics and the Commission on Professional Rights and Responsibilities of the National Education Association, *Implementing the Code of Ethics of the Education Profession and Strengthening Professional Rights* (Washington, D.C.: National Education Association of the United States, 1964), p. 48.

26. Lewis, "New Frontiers in Ethics," p. 4.

27. Teacher Education and Professional Standards Committee, Georgia Education Association, "Report," *Georgia Educational Journal*, vol. 58, no. 9 (May, 1965): 19.

28. *Georgia Education Journal*, vol 59, no. 1 (September, 1965): 16-17.

29. Teacher Education and Professional Standards Committee, Georgia Education Association, "Report," *Georgia Education Journal*, vol. 59, no. 8 (April, 1966): 18.

30. Professional Rights and Responsibilities Commission, Georgia Education Association, "Report," *Georgia Education Journal*, vol. 62, no. 8 (April, 1969): 22.

31. Professional Rights and Responsibilities Commission, Georgia Education Association, "Report," *Georgia Education Journal*, vol. 63, no. 8 (April, 1970): 27.

32. *Georgia Education Journal*, vol. 59, no. 5 (January, 1966): cover.

33. *Georgia Education Journal*, vol. 59, no. 9 (May, 1966): 22.

34. *Ibid.*

35. "Editorial," *Georgia Educational Journal*, vol. 60, no. 6 (February, 1967): 7.

36. State of Georgia Professional Practices Commission, *The First Ten Years* (Atlanta, Ga.: State of Georgia Professional Practices Commission, 1983), unpaginated.

37. Georgia Code 1987 20-2-795.

38. State of Georgia Professional Practices Commission, "Procedures," mimeograph copy (Atlanta, Ga.: State of Georgia Professional Practices Commission, "Revised September 21, 1984").

Chapter 3

The Ethics of a Profession

That the situation between professional ethics and Georgia public school administration is complicated and perplexing might encourage some to dismiss professional ethics as irrelevant or impractical as a source of standards or directives for decision making by public school administrators. Such a reaction might be the easy thing to do at least in the short run, but it would do nothing to settle the situation either in the short or the long run. So, instead of avoiding the problem, one will do well to determine if and how Georgia public school administrators should take professional ethics into account in their decision making.

In doing this, it will be helpful to start by establishing a theoretical understanding of a professional ethics. The understanding can serve as a framework within which to discuss the professional ethics of the Georgia public school administrator. An understanding that is sufficient for our purpose may be had by resolving two issues: What is a professional ethics? What status does a professional ethics have *vis vis* other regulations binding upon the profession's members?

The Nature of a Professional Ethics

When speaking of the ethics of a profession, we normally are not referring to the behavior of the profession's members.[1] We usually are talking about a set of statements put forth by the profession for the guidance of its members' conduct. It might be

that the actions of a profession's members reveal what the members actually deem as worthy, obligatory, and right; but the values, duties, and rights revealed by such actions do not constitute what one ordinarily intends by the term "the ethics of a profession." When people speak of the ethics of a church, they typically mean the ethical doctrine, or teaching, of the church, not the values, duties, and rights suggested by the actions of the church's members.[2] Similarly, what people normally have in mind when referring to a professional ethics are values, duties, and rights officially professed by the given profession, which is to say, values, duties, and rights stated by it.

The statements constituting a professional ethics might or might not be systematically arranged; if they are, they may be called a "code of ethics." The statements in a code of ethics may be arranged in any of several ways, e.g., from general to particular, according to topics addressed, according to linguistic functions, and from fundamental to dependent. The statements making up the Georgia Professional Practice Commission's *Code of Ethics* (Appendix B) as well as those constituting the NEA's *Code of Ethics* (Appendix C) are systematically ordered at least in that they are divided into fundamental and dependent statements, which appear respectively in the preambles and bodies of the Codes, and in that the statements in each Code's body are categorized according to the topics they concern: student, public or community, profession, and employment practices. By contrast the statements ingredient to the AASA's *Statement of Ethics* (Appendix A) are much less systematic. Other than being divided into fundamental and dependent statements, which appear respectively in the preamble and body of the Statement, they do not have any definite order. A set of ethical statements might be systematized for any of several reasons. Two common ones are facility of comprehension and ease of use. If, for instance, the statements in a set are organized from general to particular or from fundamental to dependent, they help a person to grasp their logical relationships; and if they are arranged according to topics addressed, they make it easy to locate those directed at a topic of given concern.

Statements may guide actions in various ways. The most frequent ones are: describing conditions that must be taken into account in performing actions, indicating criteria for determining values relevant to actions, explicitly directing actions, asserting rights that must be considered in performing actions, and expressing feelings related to given actions. Accordingly, the linguistic

functions of statements appearing in the ethics of professions are to describe, to provide standards, to direct explicitly, to assert rights, and to express feelings.

A descriptive statement attributes some characteristic to some object, which means that the statement may be shown, at least in principle, to be true or false. For instance, the statement that public school administrators are public employees is a description because it attributes being public employees to being public school administrators. Different sorts of standards may be provided by statements. A standard of measurement, e.g, centigrade temperature, is one type; but in a professional ethics only valuational standards are of necessary concern. A valuational standard is a criterion determining some value, which may or may not be an ethical value.[3] Some valuational criteria are standards of aesthetic values while others are standards of professional performance. Beauty and sensuousness are often advanced as aesthetic standards, and patient welfare is commonly given as a standard of care in the health professions. Nevertheless, the only valuational standards essential to a set of ethical statements are ethical standards. An ethical criterion is one of prudence or morality. If the former, it demarks what is good for oneself apart from others; if the latter, it delimits what is good for others as well as oneself.[4] Hence, standards of professional performance necessarily involve moral standards; for by definition they include standards of what is good not just for the agent of the performance but also for the recipient of the performance. Somewhat as a descriptive statement can be defended or overturned on the grounds that it is true or false, an ethical valuational statement can be defended or rejected on the grounds that there are or are not good reasons for it. For instance, it might be justified for the reason that it is appropriate to human nature; or it might be denounced for the reason that it is too idealistic. Not all standards of ethical values, therefore, are equally acceptable.

Descriptives, valuational statements, rights statements, and feeling statements might be directive but only implicitly so. Explicitly directive statements are of two kinds, imperative and prescriptive. Far from being suggestions or advice, imperatives are orders, or commands, which may be unconditional or conditional. Examples of unconditional imperatives are "Thou shalt not kill" and the rest of the Ten Commandments. Examples of conditional imperatives are: "If you want to leave early, exit by the back door," and "If you want a pay raise, do above-average

work." While prescriptive statements too may be unconditional or conditional, they, typically being expressed as "shoulds" and "oughts," are mainly advisory. Examples are: "You ought to go to the faculty meeting"; "If you want others to respect you, you should respect them." A rights statement is one that expresses a right, e.g., "All persons in the United States have the right to free speech." Not all instances of rights statements, however, are readily identifiable; some might resemble prescriptions. For instance, the statement, "People should attend the schools of their choice," looks as though it is simply expressing advice; but it might be avowing a right, namely, the right of people to attend the schools of their choice. Whether expressing directions or rights, statements may be highly general or more or less specific. They might be so general that they do not specify any actions to follow, or they might be specific enough to mark off actions to follow. Hence, the imperative, "Pursue the good and shun the evil," names no specific action to follow; whereas the claim, "All persons are entitled to attend the schools of their choice," names a specific action to follow. Highly general directives and rights statements will be called "principles," and more or less specific ones will be called "rules." Ethical directives and rights statements are either prudential or moral. Prudential directives guide action with respect to oneself only ("I should never drink before dinner") while moral directives guide action with respect to others as well as oneself ("People have a right to honesty from each other"). Like ethical valuation statements, ethical directives and rights statements are liable to justification.

Feelings are positive or negative toward their objects. Thus, "That is wonderful!" usually expresses a feeling that is positive toward its object whereas "That was a horrible deed!" ordinarily expresses a feeling that is negative toward its object. The vocabulary whereby positive and negative feelings are expressed is large and a matter of convention. *Good*, *right*, *great*, *super*, and *lovely* are a few of the words popularly used for expressing positive feelings; *bad*, *wrong*, *evil*, *grim*, and *dreadful* are a few of these commonly employed for expressing negative feelings. Because descriptive, valuational, directive, and rights statements may have overtones of feelings, it is not always easy to distinguish feeling statements from other sorts. The essential marks of a feeling statement are that it definitely expresses a feeling and, unlike descriptive, valuational, directive, and rights statements, it can be neither verified nor justified. Even though no feeling statement

is rationally defensible, the *use* of such a statement in a set of ethical statements might be rationally defensible, e.g., for the reason that the use of the statement is motivational. Defending the use of a statement is not the same as defending the statement itself.[5] That a statement is one of the types just discussed does not necessarily mean that it should appear in the ethics of a profession. In understanding which statements of these kinds should be elements in a professional ethics, we will do well to note what a profession is. The received opinion is that it is a guild resting upon a complex body of theoretical knowledge.[6] As a guild a profession is a voluntary occupational association that is self-regulating and self-disciplined. In the respect that a profession rests upon a large and complex body of theoretical knowledge, it necessitates command of a body of theoretical knowledge that has to be learned over a period of several years through advanced study, usually at a university and apart from apprenticeship. That a guild is self-regulating means that it controls the enrollment of its members, the training of its members, the standards of performance by its members, the quality and price of its services or products, and the ethical conduct of its members. That a guild is self-disciplined means that it adopts, implements, and enforces the standards, directives, and rights whereby it regulates itself.

Because a profession is a vocational group, it is committed logically to a respect for deliberation and the other forms of practical reason; and because a profession involves a body of theoretical knowledge, it is committed logically to a respect for deduction, induction, and the other modes of theoretical reason.[7] In short, a profession is logically a rational enterprise. A statement, therefore, should appear in a profession's ethics only if its appearance there is defensible according to the canons of theoretical or practical reason.

Some of these canons readily come to mind. One of them is intelligibility: because a statement is an utterance for communicating with an audience, it should be intelligible to the audience, or have a meaning that is comprehensible by the audience. Applied to a professional ethics, this rule means that only statements intelligible to their audience should appear in the ethics. The audience of the ethics consists of the given profession's members and the persons served by the profession. The members are included because the ethics is aimed at them necessarily, and the lay persons are mentioned as a part of the audience because the ethics will regulate the members' conduct toward them. Another

rule is the so-called *law* of noncontradiction, which says that a proposition cannot be both true and false at the same time. With reference to a professional ethics the canon means that only statements not contradicting themselves respectively and not contradicting each other ought to be ingredient to the ethics. It means further that no statement expressing an ethical standard that contradicts any expressing one of the profession's standards of performance may appear in the ethics and vice versa.

Still another canon is the rule of good reasons, which maintains that a statement should be supported by a good reason. Accordingly, if a statement appearing in a professional ethics is descriptive, it should rest on compelling evidence. If the statement is a valuational, directive, or rights statement, it should have solid reasons behind it. And if it is a feeling statement, it ought to have a sensible point beyond expressing a feeling, such as serving as a cathartic for the members of the profession. The last rule to be mentioned is the canon of relevance, which says that any statement in an ethics must pertain to some ethical problem of persons whose conduct is to be regulated. Hence, any statement in a professional ethics should relate to ethical problems of the profession. It would be wrong for the statement that the earth is round to appear in a professional ethics unless the involved profession faces an ethical problem related to the fact. And it would be wrong for a profession's ethics to contain a rule on its members' sexual behavior unless the behavior poses an ethical problem for the profession.

Professional Ethics and Nonprofessional Regulations

Those who belong to a profession have other capacities too; they are individuals, members of a family, members of a community, members of a church, citizens, etc. Their other capacities also involve regulations of conduct, for instance, personal ethics, social mores, church teachings, and statutory law. In some societies diverse bodies of regulations might present no conflicts for the society's respective members; the regulations might be ordered around a core of consistent beliefs and thus might be meshed with one another. In many societies, however, various bodies of regulations are likely to engender conflicts. The members of a trade union in Poland might find it difficult to reconcile the rules of the union with the laws of the land and also might find it dif-

ficult to reconcile these laws with the beliefs of their church. In the United States an obstetrician whose profession is silent on abortions might personally favor them in certain cases, but he might belong to a church that opposes them categorically and practice in a state that permits them in some cases but not in those favored by the obstetrician. When a profession's ethics does oppose other ethical regulations binding upon the profession's members, it raises for the members the question of its authority status. Are they to follow its ethics regardless of what other regulations might say? Are they to follow its ethics except when they would be imprudent in doing so? Are they to follow its ethics except when they find it to violate the dictates of their conscience, church, government, or some other source of ethical guidance that they accept as supreme without any reservation?

This issue is acute for public school administrators in the United States and elsewhere. All of them are subject to statutory laws. Most of them profess religious convictions. Many of them have personal ethics. And all of them are sensitive to social mores. That they therefore have suffered conflict in trying to follow ethical regulations in making decisions is strongly suggested by the history of the desegregation and integration of American public schools in recent decades. The law of the land required the desegregation and integration of the schools, but social opinion frequently opposed these policies. Some administrators personally favored the desegregation and integration while others personally objected to them. What were they to do? If they had followed their personal convictions, they would have violated either the law or social mores or both. If they had gone along with the law, they would have opposed either the social mores or their personal ethics or both. And if they had followed community opinion, they would have violated the law or their personal ethics or both. Some reluctantly obeyed the law while suppressing their personal inclinations; others eagerly followed it because it coincided with their personal beliefs. Some were praised while others were condemned by their communities. Most tried to delay any decisions on desegregation and integration until they could determine that these policies definitely would be enforced. It is urgent, then, to answer the question of the authority status of the ethics of a profession.

A resolution to the issue is prompted by the point that the members of a profession are logically committed to rationality. A profession, we have said, is a voluntary occupational association

with a base of theoretical knowledge and with self-regulation and self-discipline. That the association is voluntary means that its members associate not only freely but with full knowledge of what they are doing. Accordingly, they not only must have such knowledge but also must have the ability to obtain it and have an appreciation of it. That the association has a theoretical base means that its members have learned the relevant body of theory and that they respect theoretical reason. And that the association is occupational, self-regulated, and self-disciplined implies that they are committed to practical affairs and thus to practical reason. To be sure, many people who are members of the professions are not always rational. They sometimes do not appreciate informed action. They occasionally do not respect theoretical reason. And at times they follow impulse or tradition rather than the canons of practical reason. To recognize, however, that actual professionals are not always rational does not undercut our insistence that they are logically committed to being rational. All that the recognition does is to remind us that people who are members of professions do not always act as members of professions are supposed to act. Human beings, of course, are not purely rational; they suffer whims as well as biological, social, and psychological forces that sometimes encourage them to act irrationally. Nevertheless, the irrational features of human beings do not imply that the members of a profession logically are not committed to rationality. Being rational is a part of what it means to be a member of a profession. Insofar, then, as the actual members of a profession do not act rationally, they simply do not act as they are supposed to act.

Because the members of a profession are supposed to be rational, those who become such members logically must be rational beings, that is, beings who possess knowledge and abilities to reason and who deem as worthy the various forms of rationality, including the latter's canons. Does this mean, however, that those who are members of professions are supposed to be rational only as professionals and may be irrational in the other capacities of their lives, or are they committed to rationality in these other capacities too? If people are supposed to be rational as lawyers, physicians, or public school administrators, are they supposed to be rational as individuals, parents, neighbors, church goers, citizens, and so forth? The answer is that they are committed to being rational in all other capacities as well. The reason for the answer is that they can accept irrationality in any other

capacity only on pain of contradiction. If, as already explained, people are members of a profession, they presumably are committed to rationality. This, however, does not mean that they are committed to rationality for just that profession. To favor rationality is to favor it in general, not just for this or that situation. Thus, if a person as a member of a profession is committed to rationality, he or she in another capacity cannot favor irrationality except by being in conflict with his or her commitment to rationality. It follows that the members of professions, who logically must be rational beings, are committed to rationality in the other capacities of their lives.

It may be concluded, then, that when those who are members of a profession are bound by regulations in their other capacities that contradict the ethics that the profession is supposed to have, they logically have to reject the former in favor of the latter. As already explained, a profession is a rational institution, which implies that its ethics must be defensible according to the canons of reason, theoretical and practical. Because the canons of reason cannot support each statement in a set of contradictory statements, they cannot uphold any regulations that contradict the ethics that a profession logically has to have. Hence, if a person who is a member of a profession were to follow regulations opposing the profession's proper ethics, he or she would be following regulations that are not rationally defensible and thus unacceptable to him or her as a rational being. It might be, of course, that the statements constituting an actual professional ethics are irrational, at least in part. If so, it might be that regulations opposing an actual professional ethics can be defended rationally and thus should be favored by the profession's members over its ethics. This possibility, however, does not upset our position; but it does pose a welcome caution. Human beings are fallible in their thinking. They simply make mistakes; they have biases that encourage erroneous thinking; and apart from any simple errors or biases they are ignorant of matters past, present, and future that are important for their thinking. So, even when people endeavor to formulate a profession's ethics according to reason, they might think that they have included only statements that are rationally defensible when in fact they have included some that subsequent scrutiny will show to be indefensible. This does not mean, however, that the statements ingredient to a profession's ethics logically might not be rationally defensible. All that it means is that the statements that happen to constitute

an actual professional ethics are logically inappropriate and should be modified or eliminated. Hence, if the members of an actual profession find that its ethics is opposed by regulations that are rationally defensible, they have ground for modifying or eliminating statements in the ethics. But if they have tried faithfully to construct the ethics by reason and they have yet to learn that regulations opposing the ethics are rationally defensible, they are committed to following their professional ethics rather than the opposing regulations.

Notes

1. The view that the ethics of a profession is the behavioral patterns of the profession's members is held, e.g., by D.C. Thomasma, "Human Values and Ethics: Professional Responsibility," *Journal of the American Dietetic Association*, 75 (November, 1979): 533-36.

2. Ronald Munson, "Oaths and Professional Codes of Ethics," in Ronald Munson, *Intervention and Reflection: Basic Issues in Medical Ethics*, 2nd edition (Belmont, Calif.: Wadsworth Publishing Company, 1983), pp. 2-5.

3. Joseph Margolis, *Values and Conduct* (New York: Oxford University Press, 1971).

4. Alan Gewirth, *Reason and Morality* (Chicago: The University of Chicago Press, 1978), p. 1.

5. For an analysis of the emotive theory of ethics, vid. J.O. Urmson, *The Emotive Theory of Ethics* (New York: Oxford University Press, 1969).

6. Bruce A. Kimball, "The Problem of Teachers' Authority in Light of the Structural Analysis of Professions," *Educational Theory*, 38 (Winter, 1988): 3.

7. Joseph Raz (Ed.), *Practical Reasoning* (New York: Oxford University Press, 1978).

Chapter 4

The Use of Professional Ethics by Georgia Public School Administrators

The general understanding of a professional ethics that we have developed will be relied upon as a framework within which to discuss the use of professional ethics by Georgia public school administrators. More specifically, the understanding will help determine if such administrators should follow a professional ethics in making decisions and, if they should, how they should proceed in following it.

Problems with AASA Standards and Georgia PPC Standards

As previously mentioned, Georgia public school principals and superintendents typically belong to two professional associations organized especially for public school administrators, the American Association of School Administrators (AASA) and the Georgia Association of Educational Leaders (GAEL). GAEL has not adopted any ethical regulations; and while the AASA has adopted some (Appendix A), it does not enforce them and has not implemented them in all states.[1] Accordingly, the only professional ethics pertinent to Georgia public school administrators is to be followed at the latter's discretion. As already explained, the code of ethics adopted, implemented, and enforced by the Georgia Professional Practices Commission (Ap-

pendix B) applies to administrators among other Georgia public school educators; but it is not, strictly speaking, a professional ethics. Far from being a set of statements adopted and administered by a voluntary occupational association for controlling its own members' ethical conduct, the code is a set of regulations adopted and administered, according to legal mandate, by a statutory agency for controlling the ethical conduct of Georgia public school teachers and administrators. Hence, the only ethical code that Georgia public school administrators can violate only by facing punishment is not a professional ethics.

That the members of the AASA can violate its ethical guidelines without fear of punishment does not mean that they should disregard these guidelines. Being a member of the organization is voluntary; it is not like being a member of a political society where one happens to have been born. And when people do voluntarily join an organization, there is a presumption that they are positively interested in its policies. No doubt, some school administrators have joined the AASA not because they were appreciative of its policies but because they wanted to please their superiors or impress their colleagues. Even they, however, should not ignore the organization's policies, including its professional ethics. The policies have been formulated by people who are quite knowledgeable about public school administration; and they have been adopted only after input from the whole of the organization's membership, which makes available even more insights. Thus, the AASA's policies are worthy of consideration even by those who have joined the organization for frivolous reasons.

Yet, even though the public school administrators of Georgia should not disregard the AASA's ethics, they should not necessarily have to follow the latter. Being members of a more or less professional group, they presumably are rational beings, albeit imperfect ones. And in that they are rational beings, they should follow an ethical regulation only if it is rationally defensible. Despite the fact that the AASA's ethics is a product of competence and experience, it might not be rationally defensible in all respects; hence, it might be something that the organization's members, including the public school administrators of Georgia, should not be obligated to follow invariably. If, however, the State's public school administrators should accept the AASA's ethics only where it rests on reason, they well should wonder if there are aspects of the ethics that are not rationally defensible.

It is impossible to say with certainty that the AASA's *Statement of Ethics* is or is not rationally grounded in all respects without an extensive examination of the evidence pertaining to it, which is beyond the scope of this inquiry. Nevertheless, it may be noted that there are indications that the document has weaknesses.

One sign is that several standards in the document appear to be contradictory. Consider these:

> The educational administrator:
>
> 1. Makes the well-being of students the fundamental value of all decision making and actions.
> 5. Implements the governing board of education's policies and administrative rules and regulations.
> 6. Pursues appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals.

The difficulty is that these statements might induce conflict in the administrator's decision making. Standard 1 plainly says that the well-being of students is to be the fundamental value of all decision making by the good administrator. Standards 5 and 6, however, strongly suggest that the authority of the governing board is a more nearly fundamental value of the administrator's decision making than is the student's well-being. Standard 5 proclaims that the good administrator implements whatever policies, rules, and regulations the board might hand down, which means that the good administrator will implement these policies, rules, and regulations even if they are injurious to students. Even though Standard 6 allows that the good administrator who finds a policy, rule, or regulation harmful to students will seek modification of it but only by going through channels, it does not clearly imply thereby that the student's well-being is the basic value for the good administrator's decision making. The only way that Standard 5 or 6 could imply this is that either of them presupposed that the administrator's implementation of the school board's dictates, whatever they might be, is always in the student's interest. But neither Standard 5 nor Standard 6 presupposes this point, whose truth, it should be mentioned, is highly dubious. If Standard 5 is to be consistent with Standard 1, the former must be amended to assure that the student's well-being is always fundamental for the good administrator's decision making. It might be changed to read, for instance: the good administrator implements the governing school board's policies, rules, and regulations except where they run counter to the well-being of students.

In keeping with this change, Standard 6 could be altered to read, for instance: the good administrator pursues appropriate measures to alter any policy, rule, or regulation he or she cannot implement for reason of its being detrimental to students and upon failing thereby to obtain relief resigns from his or her position.

Another contradiction seems to exist between Standard 1 and Standards 4 and 6. Standard 4 holds that the good administrator:

> Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.

By Standard 1 administrators should make the student's well-being the basic value of their decision making whereas by Standard 4 they should obey local, state, and national laws. Even if laws generally are beneficial, they certainly are not necessarily so. The state and federal laws that permitted segregation are a sad reminder of the point. Moreover, that point is one reason why our laws may be reviewed by courts and amended or abolished by legislative bodies. Hence, it is possible that a statute or some guideline with legal force might be detrimental to the well-being of students. If, therefore, public school administrators in Georgia face a law or legal rule that poses injury to students for whom they are responsible, they cannot live up to both Standard 1 and Standard 4. Standard 1 implies that they should do whatever they can, including breaking the law, to protect the student's well-being. But Standard 4 implies that they ought to obey the law even to the point of injuring students. Standard 6 presents no difficulty as long as a law of concern poses no immediate or near harm to students, for under this condition the standard would enable the administrator to seek relief through efforts to change the law and be faithful to Standard 1 as well. If, however, the law poses immediate or near harm, it might create conflict for the administrator. Quick legal relief for students might not be forthcoming: legal relief from segregation took over fifty years. But if quick relief is not available, the administrator cannot be faithful to both Standard 1 and Standard 6.

It is not known which of Georgia's laws might be detrimental to the well-being of students in the State's public schools, but it does appear that at least one State regulation would be injurious under a given condition. The regulation of concern is a standard from the Georgia Professional Practices Commission's *Code of Ethics*. Falling in the category of standards pertaining to the

administrator's commitment to the student, the standard proclaims that the educator "shall not deliberately suppress or distort subject matter for which he or she bears responsibility." Suppose that a superintendent is in charge of a district where the presentation and discussion of current events are a daily feature of the social studies classes, and suppose that a current news item reports a scientific finding that intelligence naturally varies according to racial groups. If the superintendent follows the Commission's standard just quoted, he or she will not forbid the presentation and discussion of this news item; and in following this standard, he or she also will be following Standard 4 of the AASA. Yet, if he or she permits the item to be presented and discussed, he or she runs the risk of violating Standard 1 of the AASA. It is quite conceivable that presenting and discussing the item will engender racial tension, a loss of learning motivation, and a lack of self respect, as well as mutual respect, by students. If, of course, the superintendent forbids presentation and discussion of the item because of Standard 1 of the AASA, he or she runs the risk of violating the Commission's standard and thus Standard 4 of the AASA.

Just as Standards 5 and 6 of the AASA can be amended so as to avoid inconsistency with Standard 1, Standard 4 too can be modified to that end. It could be altered to read, for instance, that the good administrator obeys local, state, and national laws except where they are injurious to students, etc. That these standards should be amended as suggested is far from certain. After all, Standard 1 could be modified in such a way that it would be consistent with Standards 4, 5, and 6. It might be made to say, for instance, that the good administrator makes the well-being of students the fundamental value of all decision making and actions and recognizes that the student's well-being is delimited through an appropriate process involving the governing board of education and state and national policies as well as the administrator. The task at hand, however, is not to propose particular statements for the AASA's ethics; it is, rather, to determine whether or not the public school administrators of Georgia should follow that ethics in their decision making. What has been established is that the ethics might not be rationally defensible in its entirety. This view leads to the conclusion that the State's public school administrators should not comply with the AASA's *Statement of Ethics* until they have scrutinized it for strengths and weaknesses in reason. Only until then can they be aware which standards

espoused by the ethics should be relied upon and which ones should be rejected.

None of this means that Georgia public school administrators should accept without reflection the ethical code of the State's Professional Practices Commission. While that code seems much more rationally defensible on its face than does the AASA's ethics, it does not appear to be totally defensible. One questionable point is a standard concerning the educator's commitment to the profession. The standard says that the educator "shall not refuse to participate in a professional inquiry when requested by an appropriate professional association." It is not certain what is meant here by "an appropriate professional association"; but it is assumed that the term refers to the National Education Association, the Georgia Association of Educators, GAEL, the AASA, and other commonly recognized professional associations of which Georgia educators are members. Two difficulties attach to this standard. The first is that it does not allow that an educator might have good reasons for declining a request by an association. They might range from poor health to being invited to investigate a friend, which an educator cannot be expected to do without bias, as well as emotional turmoil, in the inquiry.[2] The second difficulty bears on the fact that a request to an educator by a professional association is essentially an affair between the educator and the association and that the association is the agency for administering the request. Self-discipline and self-regulation, it will be remembered, are essential features of a professional association. Hence, when the Commission seeks to investigate a person for denying a request, it at best duplicates and at worst usurps operations of the concerned association.[3] In sum, the public school administrators of Georgia should comply with the Commission's ethics in their decision making only insofar as they have determined that that ethics is rationally defensible.

Like public school administrators elsewhere those in Georgia function in varying other capacities. They are individuals, parents, church goers, community members, employees, citizens, and so forth. In their other capacities they occasionally are subject to ethical regulations that oppose those to which they are subject as members of the AASA. For instance, a superintendent or principal might belong to a church that opposes students' being instructed in the use of sexual prophylaxes but at the same time be under a school board policy requiring instruction in the matter.

As a member of the church the administrator cannot implement the policy; but as a member of the AASA, whose Standard 5 compels the implementation of all governing school board decisions, he or she has to implement it. What Georgia public school administrators should do to resolve conflicts between their professional ethical obligations and the obligations they have in the nonprofessional areas of their lives should be clear by now. They should consider which of the obligations are rationally grounded and which are not and then fulfill only those that rest on justifiable reasons. If none of the opposing duties is rationally defensible, then none should be fulfilled.

Procedure for Decision Making

In asking how the public school administrators of Georgia are to comply with professional ethical standards, we do not intend a question that may be answered with such expressions as *slowly*, *carefully*, *thoroughly*, and *faithfully*. We intend, instead, a question that may be answered with a description of a procedure. In short, we want to know how such administrators ought to proceed when following a professional ethics in their decision making.

While the procedure to be proposed below will be described in steps, it should not be viewed as consisting of just the steps mentioned nor should it be regarded as being an invariable sequence of steps. Decision making is an art, not a science; it deals with particular problems, not general ones. The procedural steps employed in making a decision about one particular problem need not be the same in their individual identities or in sequential order as those used in a procedure for solving another problem even though the two procedures might share some general features. The particular circumstances of one problem might call for some steps that the others do not, and they might encourage a sequential order that the others do not. The steps to be presented below are the major ones of the procedure we have in mind, and they may be utilized in an order somewhat different from the one in which they will be discussed.

Step One

The first step is to make as clear as practically possible the meanings of all statements involved in the professional ethics with which one is concerned. Until this step is taken, administrators cannot know exactly what are the standards, principles, and rules

with which they are to comply. The clarification of the meanings might be achieved to a larger extent through a close reading of the statements, but it might require an appeal to the AASA or whatever other professional organization sponsors the given ethics.[4] Different members of the organization might disagree over what the statements mean, or the statements might be so ambiguous or vague that they cannot be understood fully through just the efforts of individual members. In either case the professional organization, through its appropriate agency, such as its executive board or ethics committee, is the ultimate authority on what it intends by any of the constituent statements of its ethics.[5] Moreover, it might be that a complete clarification of the meanings can be had before any other step in decision making is taken; but it might be that some of the clarification will not be had until some other step is taken. It might be, for instance, that additional clarification will occur when a standard, principle, or rule is applied to a particular case of possible misconduct; for it might be that the standard, principle, or rule does not plainly cover the case. According to the AASA's Standard 2, public school administrators are to fulfill their professional responsibilities with honesty and integrity. Suppose a principal quietly informs his or her superior that a teacher is a drug pusher but does not inform the parents of the teacher's students. Does the principal have a professional responsibility to say something to the parents on the affair? If so, did he or she act dishonestly or without integrity? In answering these questions, one not only speaks to the particular case at hand, but also helps clarify the meaning of Standard 2, which by itself gives no clue as to whether or not it says anything about the administrator's responsibility to the parent.

Step Two

The second step is to examine the ethics of concern for possible inconsistencies. These may be a matter of self-contradiction by some statement in the ethics, contradiction among statements in the ethics, and contradictions between the professional ethics and nonprofessional ethical obligations to which Georgia public school administrators are subject. The existence of inconsistencies will depend upon the meanings that one assigns to the constituent statements of the concerned professional ethics and to the statements expressing the non-professional ethical obligations, for meaning is that which contradiction essentially involves. Nevertheless, the search for contradictions in a professional

ethics might shape the meanings to be assigned to the statements making up the ethics. If the proposed meanings of two statements in an ethics are contradictory and if a reinterpretation of the meanings can avoid inconsistency while not adversely affecting the ethics, then the meanings should be so reinterpreted. There may be, then, an interplay between steps 1 and 2. The search for inconsistencies can be done largely by administrators individually and collectively, but ultimately it might include the professional association responsible for the given ethics. The association needs to correct inconsistencies internal to its ethics,[6] and it needs to defend its ethics against nonprofessional ethical obligations its members face.

Step Three

The third step is to identify whatever good reasons there are for the statements of the given professional ethics. This means, more specifically, to locate what evidence supports any descriptive statements, what justifications there are for statements of standards, directives, and rights, and what point is served by statements of feeling. To find good reasons for a particular professional ethics, administrators might rely upon their own respective critical powers and stores of knowledge entirely; but they might have to turn to the professional organization sponsoring the ethics. The organization's publications, conference minutes, executive board records, and ethics committee records are likely to contain information on the reasons. If a professional association cannot provide an adequate defense of its ethics, in whole or part, it might reconsider the ethics in light of this deficiency. Because a profession, as argued earlier, is committed to rationality, it cannot be content with its ethics when it cannot defend it rationally. If administrators ponder the AASA's Standard 5, they well might wonder why they should implement every policy, rule, and regulation adopted by the governing board of education. The reason most likely to come to mind is that they have been hired by the board to do this very thing. As pertinent as this reason is, however, it is hardly sufficient; for it presupposes that a person should always do what he or she is hired to do. That an administrator should implement an immoral policy, regulation, or rule is certainly questionable. To obtain stronger reasons, administrators well should turn to the AASA. This step also covers nonprofessional regulations of the conduct of public school administrators. When, for instance, such administrators in Georgia

read in the preamble of the code of ethics of the State's Professional Practices Commission that the educator "recognizes the supreme importance of the pursuit of truth," they might wonder why the pursuit of truth should be viewed as supremely important. Indeed, they might wonder what the Commission means by *truth* and what counts as the pursuit of it. Moreover, they might wonder if the term *supreme importance* is to be taken literally. Finally, they might wonder if this statement expresses a standard or just a feeling. They certainly should regard the Commission as a source of answers to these questions.

Step Four

The fourth step is to determine the relevance of the ethics to the ethical concerns of public school administrators in Georgia, that is, to determine which of these ethical concerns are covered by ethics and which are not. The ethical concerns should include present ethical problems, but they may include past and prospective ones too. In relating the expressed standards, directives, and rights of the ethics to past problems, administrators can gain insights into decision making on present and future problems. And in relating the ethics to prospective problems, administrators can prepare themselves for making decisions on future problems. If administrators apply, for example, the AASA's Standard 1 to past ethical problems involving students, they might enhance their understanding of what counts as a violation of the student's well-being today. And if they apply, for instance, the AASA's Standard 2 to prospective problems related to the hiring of personnel, administrators can become prepared for problems of nepotism when they occur. Because the statements constituting a professional ethics are often expressed in quite general terms, they must be examined very carefully to see what are the ethical concerns to which they apply. Thus, the AASA's Standard 2, which poses honesty and integrity as desirable qualities of the performance of an administrator's professional duties, has to be studied closely to grasp that it does apply to the hiring of relatives as school personnel.

Even so, it is likely that some administrators have ethical concerns that are not covered by any of the statements ingredient to a professional ethics. Suppose that a principal has a teacher who, to the offense of other teachers as well as the principal, habitually props his or her feet up on a chair or a table top during staff meetings. Both the AASA's *Statement of Ethics* and the Georgia

Professional Practices Commission's code are silent on this breach of etiquette; and the given school board, let us suppose, has issued no directives about it. To make a sound decision on this or any other problem not covered by his or her professional ethics, the administrator requires guidance from some standards, directives, or rights. Where shall they be found, however? The administrator might look to the law, community mores, or to church teachings. He or she might look to superiors or to his or her own inventiveness. Wherever the administrator finds relevant standards, directives, or rights, however, he or she must assure that they are rationally defensible before employing them. This means that he or she must scrutinize them by the first, second, and third steps described above. The first step will assure that any adopted nonprofessional standards, directives, and rights will be meaningful. The second will assure that they will be consistent with those professional standards, directives, and rights already established as justifiable. And the third will assure that there are good reasons supporting any adopted nonprofessional standards, and directives, and rights.

Step Five

The fifth, and final, step is for administrators to apply the ethical statements they regard as rationally grounded to actual professional ethical cases. Such cases might be merely prudential ones, involving nobody's welfare except the administrator's. An administrator might ponder, for instance, whether or not to take a higher paying job despite the fact he or she has just begun to make the educational improvements promised to students, parents, and school board members when he or she accepted his or her present position. Probably, however, the cases that arise for administrators will be moral ones, involving relations between students, between students and teachers, teachers and parents, principal and students, principal and parents, principal and superintendent, superintendent and community members, superintendent and school board members, and so forth.

When an administrator confronts a case in professional ethics, he or she needs to acquire facts about the case. These facts should pertain to the nature of the problem involved in the case; but they should relate also to the causes of the problem, the identifies of the concerned parties, the prospective consequences of the persistence of the problem, the statutory law of the given political society, and school board policies, rules, and procedures. While

administrators alone might be able to gather all facts necessary for understanding many cases, they might have to appoint a committee to engage in fact finding or to turn to a higher authority for assistance in fact finding. Moreover, informal interviews might be sufficient for some cases whereas formal hearings might be required for gathering the facts on others. When obtaining the facts of a case, the administrator must view all factual claims as requiring support by evidence and must be prepared to reconcile differences between competing bits of evidence. Hence, some facts might be firmly established early in a factual inquiry while others might be only tentatively established until late in the inquiry.

After determining the nature of a professional ethics case, for instance, whether it is a case of honesty, theft, bribery, civil rights, or breach of contract, the administrator is in a position to consider which standards, directives, or rights bear on the case. While the administrator might have reached, in accordance with the first step above, an understanding of the meanings of the standards, directives, or rights, he or she still might have to clarify their meanings further in the light of the facts of the case being investigated. And while the administrator might have tried, in accordance with the second step above, to assure consistency among the standards, directives, or rights, he or she might discover that the additional clarification of meanings might raise the possibility of an inconsistency that was not raised before and requires attention. Once an administrator is satisfied with the rationality of the standards, directives, or rights being used and has gathered all facts that seem available, he or she must make a decision on the case. In announcing their decisions, the administrators must not be preemptory; being committed to rationality, they must give reasons for their decisions. If they encounter, informally or through a formal appeals process, serious objections from those adversely affected by the decisions, they should defend the decisions on the grounds by which they were made. And if the objections cast doubt upon these grounds, the administrators must reassess their decisions.

Notes

1. On p. 8 of its pamphlet, *AASA Statement of Ethics for School Administrators and Procedural Guidelines* (Arlington, VA: The American Association of School Administrators, n.d.), the AASA declares: "Every state association of school administrators has an obligation to maintain a state com-

mittee on professional ethics for school administrators which will uphold, interpret, and upgrade standards of professional conduct. The AASA shall work through and with state ethics committees in all procedures for making the *AASA Statement of Ethics* effective." Hence, it was the intent of the AASA to use the ethics committee of a state professional association of the public school administrators of Georgia or any other state as the instrument for implementing its ethics in that state. Because GAEL has never established an ethics committee, it has never provided the AASA with a means for implementing its ethics in Georgia. Also, the AASA has never pursued in Georgia its last-resort option of establishing an *ad hoc* ethics committee for implementing its ethics in a state.

2. The AASA allows that a member may decline, for personal reasons, to participate in an inquiry. See *ibid.*, pp. 14-15.

3. It would be very confusing, to say the least, for a Georgia public school administrator to be excused by the AASA from participating in an inquiry and then be investigated by the State's Professional Practices Commission for having declined to participate.

4. The AASA stresses the importance of its members' being conversant with the provisions of its ethics. *Ibid.*, pp. 10, 15.

5. Cf. *ibid.*, pp. 16-17.

6. The AASA explicitly allows an amendment process for its ethics. *Ibid.*, p. 16.

Chapter 5

Illustrative Cases

This inquiry has contended that Georgia public school administrators should follow a professional ethics in their decision making if and only if the ethics is rationally defensible. The inquiry has maintained further that Georgia public school administrators should proceed in definite ways when taking a professional ethics into account during their decision making. The inquiry now will attempt to make these points clearer by examining some illustrative cases.

Case One

It was early spring during Aron J. Lewis's senior year when the state northeastern regional speech tournament was held at Fairfield High School. Aron was an excellent student at the school. He made A's mostly; he played on the school's soccer team; he was industrious, friendly, and courteous; and he was captain of the school's speech team. Teachers liked to have Aron enrolled in their classes. Several college recruiters had shown a special interest in getting him to attend their respective institutions. The principal of Fairfield High had asked Aron to represent the school at several civic functions.

While Mr. and Mrs. Lewis were proud of their son, they firmly believed that much of the credit for his accomplishments had to go to Fairfield High School and particularly to its principal, Ms. Elizabeth M. Roberts. The Lewises had moved from out of state

to Fairfield when Aron was in middle school. In the other state they had watched their older son struggle against high school environmental problems to achieve academically. The school's students tended to prefer partying to studying, and the school's principal did nothing to encourage academic excellence. At Fairfield High School many students took their classes seriously and looked upon partying as simply a recreational activity. Ms. Roberts did what she could to encourage this situation. She hired amply qualified teachers. She gave faculty release time for designing major improvements in the academic curriculum. She enlisted community support for the expenses of the school's science club, drama group, and speech team. Also, she took a stern attitude toward serious breaches of school policy, such as theft, carrying weapons, smoking, and the use of drugs. She regarded herself as being publicly as well as professionally accountable for her actions as principal.

The speech tournament began on Friday morning and ended late Saturday afternoon. Saturday evening there was a banquet in the high school cafeteria for the tournament participants. Having won first place, the Fairfield team had qualified to enter the state tournament in several weeks. Ms. Roberts was proud of the team's performance, and the team's members were in high spirits. It was quite distressing for Ms. Roberts, then, that early Sunday morning she received a phone report from the Fairfield police station on Aron and two other members of the speech team. After the banquet the three students had gone for a drive in one of their cars to unwind from the speech tournament's excitement. After driving county roads for over an hour, the students returned to the high school parking lot where their other cars had been left. The students stood by their vehicles talking when one of them produced and lit a joint of marijuana. After inhaling deeply, he passed the cigarette to Aron and said, "This'll crank us up for the state tournament." The police spotlight shined on the group just as Aron was handing the joint to the third student. The officer speaking to Ms. Roberts said that the students had been released in their parents' custody and indicated that the disposition of the case was up to Ms. Roberts. She requested and received permission to investigate the case and impose sanctions according to school policy.

Ms. Roberts was aware that she was bound by both the AASA and the Georgia Professional Practices Commission to conduct the investigation of the case according to due process and to

prevent any unnecessary embarrassment to the students. So on Monday morning she called the three students to her office and told them of her intention to investigate the marijuana charge. She then told them that on Wednesday there would be a hearing which they must attend and which their parents would be advised to attend. Meanwhile, the students would continue attending class. Early in the Wednesday hearing Ms. Roberts, accompanied by her assistant principal and the speech coach, described the case as it had been related to her by the police officer; she then asked if the students had any response to the alleged facts. Under the eyes of their parents, the students promptly conceded that the allegations were substantially correct but insisted that they certainly had never used drugs before and firmly intended never to use them again. They also apologized for whatever trouble and embarrassment they had caused the school, its principal, the speech coach and team, and their parents. Ms. Roberts said that she would pronounce punitive sanctions at a meeting on Friday morning and advised the parents to attend with the students.

After the Wednesday meeting was over, Ms. Roberts had an appointment with the assistant superintendent in charge of student affairs. She described to him the police report and the students' confession. She also mentioned that the students not only were good students but had no previous school record of misconduct. But she was not sure what were all her options for punishment. Reminding Ms. Roberts that there was no state-wide policy for disciplining students on drug charges, the assistant superintenent explained that the Fairfield school district policy barely allowed options: a first-time offender must be suspended for ten school days and, if circumstances warrant, may be turned over to the authorities for treatment as a juvenile delinquent. Ms. Roberts responded that the circumstances certainly did not justify turning the students over to the juvenile authorities and doubted that the students should be suspended for ten class days.

"In that case," replied the assistant superintendent, "you have the option of dropping the charges."

"But the charges cannot be dropped," insisted Ms. Roberts. "These boys did not run in the halls or cut the lunchline; they broke a criminal law. Dropping the charges would not teach other students to respect the law, and it might encourage some to believe that Aron Lewis and his friends are receiving favored treatment. Yet, those boys do not need to be suspended for ten

days. Five would be plenty. They are truly repentent, and they will be under strong parental supervision the rest of the year."

"I'm sorry, Ms. Roberts, but the policy permits no other alternatives. You might remember that the school board wanted a tough policy, but the board never suspected that the policy would apply to students like Aron and his friends."

The next morning Ms. Roberts and Mr. John M. Turner, her assistant principal, conferred about the case. After briefing Mr. Turner on the punitive options allowed by the Fairfield school district policy, Ms. Roberts asked him if he knew of any standards of professional ethics that would help her decide which option to choose. Mr. Turner did not believe that the Professional Practices Commission's standards would help on that point, but he did think that some of the AASA ethical standards seemed useful: the one that makes the well-being of students the basic value of decision making; the one that insists upon obedience of local, state, and national laws; and the one that mandates the implementation of a school board's policies. Mr. Roberts agreed that those policies were certainly relevant, but she doubted that they helped her make a choice. The problem, she explained, lay with the standard about the well-being of students. There is the well-being of all the other students in the school. If the three students' welfare were made the basic value of a decision, then charges should be dropped. A ten-day suspension would needlessly interfere with the three students' education. But if the student body's welfare were made the fundamental value of a decision, the ten-day suspension should be imposed. A punishment of that magnitude for those three students would likely strengthen the student body's respect for fairness in this school and in society at large. So which welfare is to be made the basis of a decision? The AASA standards, Mr. Roberts quietly mentioned, do not provide a standard for choosing between two well-beings.

"Maybe things aren't deadlocked, though," responded Mr. Turner. The state speech tournament, he went on, is a four or five-day event. It is equivalent, then, to five class days; and it is something of great value to Aron and his two friends. Why not, therefore, suspend the three for five class days and also forbid them from participating in the state tournament?

"John, your idea looks like the only good one I've seen this week. Equating the tournament trip with five class days is surely reasonable, and the punishment is severe enough to get

everyone's respect. Even if I suspended the students for ten regular class days, I still would have to forbid them from participating in the tournament. And that's all too much. By your accounting that would be more than even the school board would demand. I'll check out your idea with the superintendent's office.

The assistant superintendent was pleased to learn that Ms. Roberts had found a promising alternative. The equivalency suggestion made sense, and ten days plus no tournament did seem excessive. Moreover, the alternative suggested a rule for helping to determine punishment in similar cases in the future. The assistant superintendent then wondered, only half in jest, if Ms. Roberts would object to his occasionally consulting with John Turner from then on.

Case Two

John R. Story had a class in American History II at Ridgeway High School in the city of Fairview where Mr. Story had taught for two years. The students in the class were about half white and half black; only a few of them had had Mr. Story for American History I. While American History I ended with the surrender at Appomattox, American History II opened with the Reconstruction of the South. In teaching this unit, Mr. Story described how blacks obtained control of many political offices in the South and then detailed some of the corruption, mismanagement, and foolish decisions of black officials. In an effort to explain these failings, Mr. Story argued that because the officials had been slaves for most of their lives, they had had little if any opportunity for schooling, had not had opportunities to develop skills in governmental affairs, and had not had any opportunity to gain a profound knowledge of the various states' legal and political institutions.

A black student in the class was Valerie Ann Johnson, who was bright as well as sensitive to the struggles of black people for equality in American society. The evening after hearing Mr. Story's presentation on the Reconstruction period, Valerie Ann discussed with her parents what her teacher had said. They acknowledged that it was likely that blacks were not well qualified for political office at the time; but they asserted that white officials were sometimes corrupt and incompetent and stated that the black Reconstruction politicians had made accomplishments, for instance, their helping to create the state-wide public school systems of the South. Valerie Ann, however, replied that Mr. Story

had not mentioned any misdeeds of white officials or accomplishments by black officials. Later, her parents decided to complain to the principal of Ridgeway High School that Mr. Story was racially insensitive, perhaps even prejudiced.

William C. Barber had been principal of Ridgeway High School for four years. Before then, he was an assistant principal and a teacher at the school. The school had had no history of racial trouble since it was integrated fifteen years ago. When Mr. Barber interviewed Mr. Story before the latter was hired, he took measures to learn if the prospective history teacher was academically and pedagogically qualified and would be quite comfortable in working in a racially integrated school. Since interviewing Mr. Story, Mr. Barber never doubted the teacher's qualifications. Indeed, each year's evaluation of Mr. Story's performance as a teacher reinforced the principal's initial impression. Mr. Barber was perplexed, then, when brooding over the complaint made by Valerie Ann Johnson's parents earlier in the day. How, he thought, could John Story be racially insensitive? He knows his material. He knows how to teach it well. And the record of his relations with black students is spotless. Mr. Barber's impulse, then, was to dismiss the Johnsons' complaint as arising from a misunderstanding on the part of Valerie Ann or her parents; but he checked the impulse. While he had not had extensive experience in dealing with complaints against teachers, he knew that he should not dispose of the Story-Johnson case just by following his feelings. He was quite aware that the Fairview Board of Education stressed the fair treatment of minority students' complaints. He was dimly aware that the Georgia Professional Practices Commission insisted upon the equal treatment of all students. And he was cognizant that the AASA, whose meetings he attended occasionally and whose publications he read from time to time, emphasized due process in the treatment of students. Accordingly, he decided to investigate the complaint lodged by the Johnsons.

To exclude his biases from the investigation as much as he could, Mr. Barber assigned his assistant, Mary Jo Parker, who was black, the task of collecting all relevant facts. She proceeded by interviewing during two days Valerie Ann and her parents, then Mr. Story, and finally other students enrolled in the teacher's American History II class. What Ms. Parker learned was: Mr. Story did talk about the incompetence of black public officials during Reconstruction; he did mention certain governmental

achievements in the South during Reconstruction but did not specify the contributions of black public officials to the achievements; he discussed the work and views of Booker T. Washington and Frederick Douglas; and he apparently upset no student other than Valerie Ann. Upon reading Ms. Parker's report, Mr. Barber formed two tentative opinions. The first was that Valerie Ann's account of Mr. Story's class was true as far as it went but that it ignored some important facts, perhaps because Valerie Ann was upset. The second was that Mr. Story did not present as balanced a view of black public officials during Reconstruction as he should have despite his recognition of the importance of Washington and Douglas. After reflecting on these opinions, Mr. Barber asked Ms. Parker what she thought about them. She said that they agreed with her ideas on the matter.

Shortly afterwards Mr. Barber summoned Mr. Story. He informed the teacher of the facts that had been learned and then proceeded to make certain recommendations:

1. In teaching about black public officials during Reconstruction, Mr. Story should point out achievements they made.
2. Mr. Story should play down, if not ignore, the failures of black public officials during Reconstruction. If he persisted in talking about these failures, he should mention some by white officials.
3. Mr. Story should apologize to Valerie Ann and her parents for having upset her needlessly.

After hearing the recommendations, Mr. Story replied that he definitely agreed with (1) and (3) but had a reservation about (2). He acknowledged he should refer to misdeeds by white as well as black officials, but he contended that the recommendation tended to violate his academic freedom in that it asked him to suppress knowledge generally recognized in the field of history. Mr. Barber replied that in a school situation the teacher's academic freedom is secondary to the student's well being and stated further that (2) was concerned simply with reducing the chances of getting students upset. Mr. Story was not satisfied, however. He reminded the principal that only one student was upset even when the material was not taught in a balanced way and that a balanced presentation likely would reduce even more the risk of upsetting students. He then asserted that students of high school age can learn to cope with unpleasant facts of the past even when such facts bear on them personally. Appreciating the

teacher's point, Mr. Barber asked Mr. Story if he would be amenable to helping black students cope with such facts if he continued to teach the unpleasant side of Reconstruction, even if in a balanced way. Mr. Story allowed that he should be delighted to do so. Mr. Barber, then, explained that recommendation (2) should not be regarded as a threat to Mr. Story's academic freedom and asked the teacher to report to him on the forthcoming meeting with the Johnsons.

A day later, Mr. Barber decided to report the Story-Johnson case and his disposition of it to the superintendent of the Fairview school district. To prepare himself for writing the report, he asked Ms. Parker to identify all the ethical standards of the AASA and the Georgia Professional Practices Commission that were relevant to the case. She regarded Standards 1-5 of the AASA as clearly germane, and she regarded several standards in the section, *Commitment to the Student*, of the Commission's code as quite pertinent. After reviewing Ms. Parker's findings, Mr. Barber was relieved to see that he had investigated and settled the Story-Johnson case according to the ethical standards of both the AASA and the Commission. He resolved that before disposing of any future ethics case, he would study the ethical standards of the AASA and the Commission closely. While he had managed to succeed in the Story-Johnson case with only a vague impression of the standards, he realized that he should have a firm grasp of them if he was to deal with ethics cases in a professionally competent way.

Case Three

Ms. Judith R. Crowe stared out her office window at the trees and houses beyond the school grounds. The late-spring heat shimmered above the trees and houses. Ms. Crowe had frequently relaxed during her tenure as principal at Coldgrove Middle School by looking at the trees and houses. Before accepting the position, she had been a teacher at the other middle school in Stoney Springs. She enjoyed living and working in Stoney Springs. Its old-fashion ways and suburban tranquility matched her demeanor and her firm belief in the goodness of people. And the city's superintendent and its school board members respected many of the activities and institutions that she had learned to value years ago. But the occasion for her staring now at the distant scene was not a feeling of contentment but rather an inner turmoil...

For about ten years Stoney Springs had been changing. People with jobs in the nearby metropolitan area increasingly moved to Stoney Springs because its houses were inexpensive and its schools were not crowded. While the newcomers found the small city convenient, they did not find its old-fashion ways and tranquility especially attractive. They were not bothered by the traffic congestion that they caused, and they were not concerned by the increase in litter that came with them. They were not alarmed that many of their children were latchkey kids, and they were not ashamed to have divorces. Associated with the population changes of Stoney Springs, there was a notable increase in venereal disease and extramarital pregnancy. The city health department, which kept records on these matters, quietly informed Bernard K. Williams, the school superintendent, about the incidence of student cases of which it had knowledge.

The number of student cases was not critical in the view of the superintendent, but the rate of increase was high enough to indicate that the Stoney Springs schools faced a problem. After informal conversations with members of the board of education, the superintendent encouraged them to hold a formal meeting on the problem. Various witnesses spoke at the meeting: the city health official, an administrator of the city's human resources department, several ministers, a local physician, and some parents. Most of the board members were small business owners; one was a lawyer; and two were housewives. Despite their differences, however, they agreed that something had to be done to eliminate or at least reduce the sex problem of the Stoney Springs schools. They authorized the superintendent to formulate and implement an appropriate program. The superintendent assigned his curriculum director the task of formulating a sex education program and assigned the principals of the middle and high schools the task of implementing it the fall semester.

It was the superintendent's memo assigning the program's implementation to the principals that precipitated Ms. Crowe's turmoil. Ms. Crowe had always followed the directives she received from the superintendent's office, but she had never received one that plainly conflicted with her personal moral beliefs. During the school board's meetings on the schools' sex problems, Ms. Crowe had not thought that she would eventually be directed to implement a program that involved detailed instruction about the biology and psychology of the sex act, about the characteristics and transmittal of venereal diseases, and the use of condoms and

other contraceptives. She had assumed that any program adopted would be morally positive. It would view marriage as the point of falling in love, emphasize sex as an act special to marriage, stress the having and nurturing of children as the point of marriage, and present premarital abstinence not as the condition for avoiding venereal disease and extramarital pregnancy but as a condition for fostering true love. If she put into effect the superintendent's program, she would promote a program that she strongly opposed on moral grounds; but if she refused to implement it, she would be acting without a professional authority. What was she to do?

From the wall behind Ms. Crowe's office desk hung a framed copy of the AASA's *Statement of Ethics for School Administrators*. The copy had been presented to her by the superintendent at a ceremony introducing her to the students and parents of Coldgrove Middle School. She turned from the window and glanced casually at the document. Then, after skimming all the standards in the Statement, she focused upon several of them. She agreed with Standard 1 that she should make the well-being of students the fundamental value of any decision she would make about implementing the sex education program. While she was certain that premarital pregnancy and vereneal disease were not parts of the well-being of students, she also was highly doubtful that *safe sex* was a part of their well-being. What she was sure was that a part of their well-being was their learning to understand and appreciate the place of sex in marriage, both as an expression of love and as the means for having children. Because of these beliefs she reacted uncomfortably to Standard 5, which plainly indicated that she should implement the sex education program. Standard 6, however, suggested what she well might do. Because there were still several months before the program was to be in operation, there was time for her to discuss it with Superintendent Williams.

During her conference with Mr. Williams, Ms. Crowe allowed that she was not opposed in principle to sex education but maintained that the program scheduled for the Stoney Springs schools was wrong. She then followed with her criticisms of the program and stated what she thought the program should be like. After hearing Ms. Crowe's presentation, the superintendent acknowledged that she had made some worthwhile points. He did insist that detailed instruction on venereal disease and contraception was in the students' interest. But the instruction, he explained,

was not for promoting premarital sex; it was, rather, to enable students to protect themselves if they were compelled to engage in premarital sex. In addition, he acknowledged that perhaps the sex education program of concern should include a greater emphasis upon the constructive aspects of sex. He said that he would review the program with the curriculum director and during the review would seek input from all affected principals. It was important, he mentioned, that the program be favorably received by all parties, if possible.

It was later in the afternoon when Ms. Crowe returned from the conference to her office. The heat waves over the trees and houses had diminished considerably but not completely. Ms. Crowe was greatly relieved that the sex education program was likely to be improved through the review. But she knew that her difficulty with the program was not entirely settled. The review might not lead to any improvement in the program, or it might lead to improvements that were sufficient. In any event, she would have to wait several weeks before she could see the results of the review. If she did not find the results acceptable, however, what would she do? There probably would not be enough time left for an additional review before implementation. Perhaps she could ask for an additional review toward the end of the first year of the program's operation. But what if the superintendent would not grant a further review? For the time being, however, there was nothing to do but to hope for the best and state her views when the curriculum director asked for input from principals.

Appendix A

Statement of Ethics for School Administrators*

An educational administrator's professional behavior must conform to an ethical code. The code must be idealistic and at the same time practical, so that it can apply reasonably to all educational administrators. The administrator acknowledges that the schools belong to the public they serve for the purpose of providing educational opportunities to all. However, the administrator assumes responsibility for providing professional leadership in the school and community. This responsibility requires the administrator to maintain standards of exemplary professional conduct. It must be recognized that the administrator's actions will be viewed and appraised by the community, professional associates, and students. To these ends, the administrator subscribes to the following statements of standards.

The educational administrator:

1. Makes the well-being of students the fundemental value of all decision making and actions.
2. Fullfills professional responsibilities with honesty and integrity.
3. Supports the principle of due process and protects the civil and human rights of individuals.
4. Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly the overthrow of the government.

5. Implements the governing board of education's policies and administrative rules and regulations.
6. Pursues appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals.
7. Avoids using positions for personal gain through political, social, religious, economic, or other influence.
8. Accepts academic degrees or professional certification only from duly accredited institutions.
9. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
10. Honors all contracts until fulfillment or release.

*Approved by AASA Executive Committee, September 1976. Embraced by NCAR, May 1976. Reprinted with permission.

Appendix B

Georgia Professional Practices Commission's Code of Ethics

The Georgia Board of Education recognizes teaching as a profession. Therefore, the teaching profession is accompanied by certain rights, responsibilities and privileges. For this reason, the state board accepts and approves the code of ethics adopted by the Professional Practices Commission. In order to assure that educators abide by the code of ethics and professional performance, a Professional Practices Commission, which will have the responsibility of developing criteria for teacher performance and recommending action in cases of violation of the code of ethics, is established.

The code of ethics of the education profession sets certain standards for the educator regarding his or her commitments. They are as follows:

Preamble

The educator believes in the worth and dignity of people. He or she recognizes the supreme importance of the pursuit of truth, the devotion to excellence and the nurture of democratic citizenship. He or she regards as essential to these goals the protection of the freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts his or her

responsibility to practice his or her profession according to the highest ethical standards.

The educator recognizes the magnitude of the responsibility he or she has accepted in choosing a career in education and engages himself or herself, individually and collectively with other educators, to judge his or her colleagues, and to be judged by them, in accordance with the provisions of this code.

Commitment to the Students

In fulfilling his or her obligation to the student, the educator

- shall not without just cause restrain the student from independent action in his or her pursuit of learning and shall not without just cause deny the student access to varying points of view;
- shall not deliberately suppress or distort subject matter for which he or she bears responsibility;
- shall make a reasonable effort to protect the student from conditions harmful to learning or to health and safety;
- shall conduct professional business in such a way that he or she does not expose the student to unnecessary embarrassment or disparagement;
- shall not on the grounds of race, color, creed or national origin exclude any student from participation in or deny him or her benefits under any program, nor grant any discriminatory consideration or advantage;
- shall not use professional relationships with students for private advantage;
- shall keep in confidence information that has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law; and
- shall not tutor for remuneration students assigned to his or her classes, unless no other qualified teacher is reasonable available.

Commitment to the Public

In fulfilling his or her obligation to the public, the educator

- shall not misrepresent an institution or organization with which he or she is affiliated, and shall take adequate precautions to distinguish between his or her personal and institutional or organizational views;
- shall not knowingly distort or misrepresent the facts concerning educational matters in direct and indirect public expressions;
- shall not interfere with a colleague's exercise of political and citizenship rights and responsibilities;
- shall not use institutional privileges for private gain or to promote political candidates or partisan political activities; and
- shall accept no gratuities, gifts or favors that might impair or appear to impair professional judgment, nor offer any favor, services or things of value to obtain special advantage.

Commitment to the Profession

In fulfilling his or her obligation to the profession, the educator

- shall not discriminate on grounds of race, color, creed or national origin for membership in professional organizations, not interfere with the free participation of colleagues in the affairs of their association;
- shall accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities;
- shall not use coercive means or promise special treatment in order to influence professional decisions of colleagues;
- shall withhold and safeguard information acquired about colleagues in the course of employment, unless disclosure serves professional purposes;
- shall not misrepresent his or her professional qualifications; and
- shall not knowingly distort evaluations of colleagues.

Commitment to Professional Employment Practices

In fulfilling his or her obligation to professional employment practices, the educator

- shall apply for, accept, offer or assign a position or responsibility on the basis of professional preparation and legal qualifications;
- shall apply for a specific position only when it is known to be vacant, and shall refrain from underbidding or commenting adversely about other candidates;
- shall not knowingly withhold information from an applicant regarding a position, nor misrepresent an assignment or conditions of employment;
- shall give prompt notice to the employing agency of any change in availability of service, and the employing agent shall also give prompt notice of change in availability or nature of a position;
- shall not accept a position when so requested by the appropriate professional organization;
- shall adhere to the terms of a contract or appointment, unless these terms have been legally terminated, falsely represented or substantially altered by unilateral action of the employing agency;
- shall conduct professional business through channels, when available, that have been jointly approved by the professional organization and the employing agency;
- shall not delegate assigned tasks to unqualified personnel;
- shall permit no commercial exploitation of his or her professional position; and
- shall use time granted for the purpose for which it is intended.

Georgia Code: 32-603a (1974), 32-838 (1967), 32-839 (1967, 1968, 1972), 32-840 (1967), 32-841 (1967, 1972), 32-842 (1967, 1968), 20-2-790--20-2-800 (1984).

Appendix C

National Education Association Code of Ethics

Preamble

We, professional educators of the United States of America, affirm our belief in the worth and dignity of man. We recognize the supreme importance of the pursuit of truth, the encouragement of scholarship, and the promotion of democratic citizenship. We regard as essential to these goals the protection of freedom to learn and to teach and the garantee of equal educational opportunity for all. We affirm and accept our responsibility to practice our profession according to the highest ethical standards.

We acknowledge the magnitude of the profession we have chosen, and engage ourselves, individually and collectively, to judge our colleagues and to be judged by them in accordance with the applicable provisions of this code.

Principle I

Commitment to the Student

We measure success by the progress of each student toward achievement of his maximum potential. We therefore work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

We recognize the importance of cooperative relationships with other community institutions, especially the home.

In fulfilling our obligations to the student, we__

1. Deal justly and considerately with each student.
2. Encourage the student to study varying points of view and respect his right to form his own judgment.
3. Withhold confidential information about a student or his home unless we deem that its release serves professional purposes, benefits the student, is required by law.
4. Make discreet use of available information about the student.
5. Conduct conferences with or concerning students in an appropriate place and manner.
6. Refrain from commenting unprofessionally about a student or his home.
7. Avoid exploiting our professional relationship with any student.
8. Tutor only in accordance with officially approved policies.
9. Inform appropriate individuals and agencies of the student's educational needs and assist in providing an understanding of his educational experiences.
10. Seek constantly to improve learning facilities and opportunities.

Principle II

Commitment to the Community

We believe that patriotism in its highest form requires dedication to the principles of our democratic heritage. We share with all other citizens the responsibility for the development of sound public policy. As educators, we are particularly accountable for participating in the development of educational programs and policies and for interpreting them to the public.

In fulfilling our obligations to the community, we ___

1. Share the responsibility for improving the educational opportunities for all.
2. Recognize that each educational institution may have a person authorized to interpret its official policies.
3. Acknowledge the right and responsibility of the public to participate in the formulation of educational policy.
4. Evaluate through appropriate professional procedures conditions within a district or institution of learning,

make known serious deficiencies, and take any action deemed necessary and proper.

5. Use educational facilities for intended purposes consistent with applicable policy, law, and regulation.
6. Assume full political and citizenship responsibilities, but refrain from exploiting the institutional privileges of our professional positions to promote political candidates or partisan activities.
7. Protect the educational program against undesirable infringement.

Principle III

Commitment to the Profession

We believe that the quality of the services of the education profession directly influences the future of the nation and its citizens. We therefore exert every effort to raise educational standards, to improve our service, to promote a climate in which the exercise of professional judgment is encouraged, and to achieve conditions which attract persons worthy of the trust to careers in education. Aware of the value of united effort, we contribute actively to the support, planning, and programs of our professional organizations.

In fulfilling our obligations to the profession we___

1. Recognize that a profession must accept responsibility for the conduct of its members and understand that our own conduct may be regarded as representative.
2. Participate and conduct ourselves in a responsible manner in the development and implementation of policies affecting education.
3. Cooperate in the selective recruitment of prospective teachers and in the orientation of student teachers, interns, and those colleagues new to their positions.
4. Accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities, and support them when unjustly accused or mistreated.
5. Refrain from assigning professional duties to non-professional personnel when such assignment is not in the best interest of the student.
6. Provide, upon request, a statement of specific reasons for administrative recommendations that lead to the denial of

increments, significant changes in employment, or termination of employment.

7. Refrain from exerting undue influence based on the authority of our position in the determination of professional decisions by colleagues.
8. Keep the trust under which confidential information is exchanged.
9. Make appropriate use of time granted for professional purposes.
10. Interpret and use the writings of others and the findings of educational research with intellectual honesty.
11. Maintain our integrity when dissenting by basing our public criticism of education on valid assumptions as established by careful evaluation of the facts or hypotheses.
12. Represent honestly our professional qualifications and identify ourselves only with reputable educational institutions.
13. Respond accurately to requests for evaluations of colleagues seeking professional positions.
14. Provide applicants seeking information about a position with an honest description of the assignment, the conditions of work, and related matters.

Principle IV

Commitment to Professional Employment Practices

We regard the employment agreement as a solemn pledge to be executed both in spirit and in fact in a manner consistent with the highest ideals of professional service. Sound professional personnel relationships with governing boards are built upon personal integrity, dignity, and mutual respect.

In fulfilling our obligations to professional employment practices, we___

1. Apply for or offer a position on the basis of professional and legal qualifications.
2. Apply for a specific position only when it is known to be vacant and refrain from such practices as underbidding or commenting adversely about other candidates.
3. Fill no vacancy except where the terms, conditions, policies, and practices permit the exercise of our professional judgment and skill, and where a climate conducive to professional service exists.

4. Adhere to the conditions of a contract or to the terms of an appointment until either [it] has been terminated legally or by mutual consent.
5. Give prompt notice of any change in availability of service, in status of applications, or in change in position.
6. Conduct professional business through the recognized educational and professional channels.
7. Accept no gratuities or gifts of significance that might influence our judgment in the exercise of our professional duties.
8. Engage in no outside employment that will impair the effectiveness of our professional service and permit no commercial exploitation of our professional position.

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